

Exhibit C

1 Guido Saveri (22349) guido@saveri.com
2 R. Alexander Saveri (173102) rick@saveri.com
3 Geoffrey C. Rushing (126910) grushing@saveri.com
4 Cadio Zirpoli (179108) cadio@saveri.com
5 SAVERI & SAVERI, INC.
6 706 Sansome Street
7 San Francisco, CA 94111
8 Telephone: (415) 217-6810
9 Facsimile: (415) 217-6813

10 *Interim Lead Counsel for the Direct Purchaser*
11 *Plaintiffs*

12
13 **UNITED STATES DISTRICT COURT**
14 **NORTHERN DISTRICT OF CALIFORNIA**
15 **SAN FRANCISCO DIVISION**
16

17 IN RE: CATHODE RAY TUBE (CRT)
18 ANTITRUST LITIGATION

MASTER FILE NO. 07-cv-5944 SC

19 This Document Relates to:
20
21 ALL DIRECT PURCHASER ACTIONS
22

**DIRECT PURCHASER PLAINTIFFS'
SUPPLEMENTAL RESPONSES TO
DEFENDANT LG ELECTRONICS, INC.'S
FIRST SET OF INTERROGATORIES**

23 PROPOUNDING PARTY: LG ELECTRONICS, INC.
24 RESPONDING PARTY: DIRECT PURCHASER PLAINTIFFS
25 SET NO.: ONE
26

27 Pursuant to Rules 26 and 33 of the Federal Rules of Civil Procedure, the Direct purchaser
28 Plaintiffs ("Plaintiffs" or "DPPs"), by their attorneys, object and respond to Defendant LG
Electronics, Inc.'s First Set of Interrogatories to the Direct Purchaser Plaintiffs (the
"Interrogatories") as follows:

GENERAL OBJECTIONS

Each of the following objections is incorporated by reference into each of the responses

1 herein:

2 1. Plaintiffs generally object to the Interrogatories, including the Instructions and
3 Definitions, to the extent they purport to enlarge, expand or alter in any way the plain meaning and
4 scope of any interrogatory or to impose any obligations on Plaintiffs' responses in excess of those
5 required by the Federal Rules of Civil Procedure. Plaintiffs will respond to these Interrogatories
6 in accordance with their understanding of the obligations imposed by the Federal Rules of Civil
7 Procedure.

8 2. Plaintiffs object to the undue burdensome and unfair nature of Defendants'
9 Interrogatories to the extent they seek to have counsel for Plaintiffs present evidentiary support of
10 the Direct Purchaser Plaintiffs' Consolidated Amended Complaint" (March 16, 2009) (Dkt. No.
11 436) ("DP-CAC") without completing discovery. Defendants' Interrogatories are premature,
12 undue burdensome and unfair, and serve no other purpose but to harass and delay Plaintiffs in
13 their efforts to prepare their case.

14 3. Plaintiffs object to each of Defendant's Interrogatories, Definitions and Instructions
15 to the extent they seek documents or information (i) not relevant to the subject matter of this
16 action; (ii) not relevant to any claim or defense in this action; (iii) not reasonably calculated to lead
17 to the discovery of admissible evidence; (iv) different from, inconsistent with, or in addition to
18 what is required to be produced under the Federal Rules of Civil Procedure, the Civil Local Rules
19 of the United States District Court for the Northern District of California, any existing Court Order
20 in this case, or any other applicable rule or law.

21 4. Plaintiffs object to the Interrogatories to the extent that they impose an undue
22 burden on Plaintiffs by, for example, requiring Plaintiffs to search for documents: (a) the value of
23 which, if any, is substantially outweighed by the burden or cost of searching for them, or (b) that
24 are equally available to Defendant or already in Defendant's possession.

25 5. Plaintiffs object to the Interrogatories to the extent they call for information and/or
26 documents protected by the attorney-client privilege, the work product doctrine, or any other
27 applicable privilege or protection. This objection includes, but is not limited to, information that
28

Defendant seeks regarding communications between Plaintiffs' attorneys and/or between Plaintiffs and their attorneys made during or in anticipation of litigation. Inadvertent identification or production of any such information in a document shall not constitute a waiver of any such privilege with respect to the document produced or the subject matter thereof, or a waiver of the Plaintiffs' right to object to the use of any such document during trial or any subsequent proceeding. To the extent that any such protected information is inadvertently produced in response to the Interrogatories, the production of such information shall not constitute a waiver of Plaintiffs' right to assert the applicability of any privilege or immunity to the information, and any such document and all copies or images thereof shall be promptly returned, sequestered or destroyed upon demand pursuant to Fed. R. Civ. P. 26(b)(5)(B).

6. Plaintiffs object to the Interrogatories as premature "contention interrogatories." *See In re Convergent Technologies Securities Litig.*, 108 F.R.D. 328 (N.D. Cal. 1985) ("[t]here is considerable recent authority for the view that the wisest general policy is to defer propounding and answering contention interrogatories until near the end of the discovery period."); *In re Ebay Seller Antitrust Litig.*, No. C07-1882 JF (RS), 2008 WL 5212170 (N.D. Cal. Dec. 11, 2008) ("Courts using their Rule 33(a)(2) discretion generally disfavor contention interrogatories asked before discovery is undertaken."). The Interrogatories: (i) call for opinions and contentions relating to fact or application of law to fact that Plaintiffs should not be required to disclose until discovery has been substantially completed; (ii) call for legal conclusions; and (iii) are likely to require supplemental answers, prematurely commit Plaintiff to positions, and artificially narrow issues. Such information cannot be fairly and practically provided until after the completion of discovery. The interests of judicial economy and efficiency dictate that contention discovery is more appropriate after a substantial amount of merits discovery has been conducted. To the extent that Defendant's Interrogatories request the contentions of Plaintiffs in this case, those contentions are set forth in large part in the DP-CAC. The allegations of the DP-CAC are incorporated by reference in each of the answers to the Interrogatories set forth herein. In responding to Defendant's contention interrogatories pursuant to Court Order, Plaintiffs reserve their rights to

1 supplement these responses at any time prior to the final pre-trial conference herein.

2 7. Plaintiffs object to the Interrogatories to the extent they purport to require Plaintiffs
3 to disclose information or produce documents concerning any expert or other person or entity
4 retained by counsel to assist in the preparation of the Plaintiffs' case: (a) to the extent any such
5 person or entity will not be designated by the Plaintiffs as a trial witness on the ground that such
6 disclosure is neither relevant nor reasonably calculated to lead to the discovery of admissible
7 evidence; and (b) on the grounds that any such present disclosure is prejudicial to the Plaintiffs'
8 preparation of this case and is not required by the Federal Rules of Civil Procedure.

9 8. Plaintiffs object to the Interrogatories, including the Instructions and Definitions, to
10 the extent the information sought is protected by the attorney-client privilege, the attorney work
11 product doctrine, or is otherwise privileged and/or immune from discovery. By responding to
12 these Interrogatories, Plaintiffs do not waive, intentionally or otherwise, any attorney-client
13 privilege, attorney work-product or any other privilege, immunity or other protection that may be
14 asserted to protect any information from disclosure. Accordingly, any response or production of
15 documents or disclosure of information inconsistent with the foregoing is wholly inadvertent and
16 shall not constitute a waiver of any such privilege, immunity or other applicable protection.

17 9. Plaintiffs object to the Interrogatories to the extent they fail to state with sufficient
18 particularity the information and categories of information to be provided.

19 10. Plaintiffs object to the Interrogatories to the extent they request Plaintiffs to
20 produce documents outside their possession, custody, or control.

21 11. Plaintiffs object to the Interrogatories to the extent they are overly broad and
22 unduly burdensome.

23 12. Plaintiffs object to the Interrogatories to the extent they are vague or ambiguous.

24 13. Plaintiffs object to the Interrogatories to the extent they require Plaintiffs to draw
25 legal conclusions.

26 14. Plaintiffs object to the Interrogatories to the extent the information requested is
27 neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

28

1 15. Plaintiffs object to Defendant's Interrogatories on the basis that Plaintiffs have not
2 yet had an opportunity to complete substantial discovery in this action, and no Defendant
3 depositions or other significant depositions have been taken. Thus, discovery is far from
4 complete. Under the circumstances, Defendant's Interrogatories are premature, and the responses
5 to the Interrogatories are not complete and are subject to full discovery in the case. Plaintiffs
6 reserve the right to modify their allegations based on additional discovery, additional analysis of
7 existing discovery, discovery not yet completed and/or expert discovery, and Plaintiffs reserve the
8 right to supplement and/or delete the responses given in light of further evidence and further
9 analysis of present and subsequently acquired evidence.

10 16. In addition, in accordance with the Federal Rules of Civil Procedure, Plaintiffs
11 reserve the right to introduce evidence not yet identified herein supporting Plaintiffs' allegations,
12 including evidence that Plaintiffs expect to further develop through the course of discovery and
13 expert analysis. Plaintiffs reserve the right to supplement or modify any information, contention
14 or analysis herein, including evidentiary materials as a result of expert analysis or discovery in this
15 action.

16 17. Plaintiffs' Responses set forth herein are made without in any way waiving: (a) all
17 rights to object to these Interrogatories, the Responses, or the subject matter thereof, as to the
18 competency, relevancy, materiality, privilege, and admissibility as evidence for any purpose, in
19 any proceeding in, or at the trial of, this or any other action; (b) the right to object on any ground
20 to the use of these Responses, or the subject matter thereof, in any proceeding in, or at the trial of,
21 this or any other action; or (c) the right to object on any ground at any time to requests to admit,
22 Interrogatories, or other discovery procedures involving or relating to the subject matter of these
23 Requests.

24 18. Plaintiffs object to each Interrogatory to the extent that the information or facts
25 sought are contained in Plaintiffs' Consolidated Amended Complaint or publicly available
26 sources.

19. In providing responses to the Interrogatories, Plaintiffs reserve all objections as to competency, relevance, materiality, privilege, or admissibility as evidence in any subsequent proceeding in, or trial of, this or any other action for any purpose whatsoever.

20. No incidental or implied admissions are intended in these responses. Plaintiffs' response to all or any part of any Interrogatory should not be taken as an admission that: (a) Plaintiffs accept or admit the existence of any fact(s) set forth or assumed by the Interrogatory; or (b) Plaintiffs' responses constitute admissible evidence. Plaintiffs' response to all or any part of an Interrogatory also is not intended to be, and shall not be, a waiver by Plaintiffs of all or any part of their objection(s) to that interrogatory.

RESPONSES

INTERROGATORY NO. 1:

State with specificity the factual basis (including any evidentiary sources) for Your allegation that Defendants conspired, combined and contracted to fix, raise, maintain, and stabilize the price at which computer monitors containing CRTs were sold in the United States, as alleged in, inter alia, Paragraph 3 of the Complaint.

RESPONSE TO INTERROGATORY NO. 1:

Subject to the General Objections, Plaintiffs respond as follows:

I. INTRODUCTION.

Pursuant to the Special Master's "Report And Recommendations Regarding Discovery Motions" (Nov. 18, 2010) ("R&R") (Dkt. No. 810), *adopted by the Court in "Order Adopting Special Master's Report Recommendations And Tentative Rulings Regarding Discovery"* (Dec. 8, 2010) (Dkt. No. 826), the following narrative, prepared by counsel for the Direct Purchaser Plaintiffs ("DPPs"), is intended to respond to the following discovery requests, which include this one: (1) "LGE's First Set of Requests for Production to the Direct Purchaser Plaintiffs" (March 8, 2010); (2) "LGE's First Set of Interrogatories To The Direct Purchaser Plaintiffs" (March 8, 2010); (3) "The First Set of Interrogatories of Defendant MT Picture Display Co., Ltd. To The Direct Purchaser Plaintiffs" (March 8, 2010); and (4) "The First Set of Document Requests of

Defendant MT Picture Display Co., Ltd. To The Direct Purchaser Plaintiffs” (March 8, 2010), which are referred to at pp. 1-2 & n.1 of Defendants’ letter brief on their motion to compel answers to interrogatories and document requests to the DPPs concerning Cathode Ray Tube (“CRT”) Products (“Defs.’ Br.”) and are appended as Exhibit A thereto. The DPPs have restated herein and incorporate by reference (to the extent not restated) all the objections to these discovery request contained in: (1) “Direct Purchaser Plaintiffs’ Responses To LGE’s First Set of Requests for Production to the Direct Purchaser Plaintiffs” (May 7, 2010); (2) “Direct Purchaser Plaintiffs’ Responses To LGE’s First Set of Interrogatories To The Direct Purchaser Plaintiffs” (May 7, 2010); (3) “Direct Purchaser Plaintiffs’ Responses To The First Set of Interrogatories of Defendant MT Picture Display Co., Ltd. To The Direct Purchaser Plaintiffs” (May 7, 2010); and (4) “Direct Purchaser Plaintiffs’ Responses To The First Set of Document Requests of Defendant MT Picture Display Co., Ltd. To The Direct Purchaser Plaintiffs” (May 7, 2010), appended as Exhibit C to Defs.’ Br.

Several prefatory comments are required with respect to this narrative response.

First, in the R&R, the Special Master made it clear that he was only asking the DPPs to provide information available to them as of March 16, 2009, the date on which the DP-CAC was filed. As the Special Master stated,

Nor does this requested discovery impose an undue burden on plaintiffs. They are not being asked to search through voluminous historical files and records. When they prepared their complaints they had necessarily gathered some information with respect to their allegations, and they should have that information available.

R&R, p. 6.

Second, this temporal limit has ramifications for how the DPPs respond to the propounded discovery. As of March 16, 2009, the DPPs had received *no* documents from Defendants Chunghwa Picture Tubes, Ltd. (“Chunghwa PT”) and Chunghwa Picture Tubes Malaysia Sdn. Bhd (collectively “Chunghwa” or “CGW”). What had been given to them before the filing of the DP-CAC was an *oral proffer* by Chunghwa’s counsel at which some documents in Chunghwa’s possession were quoted to the DPPs’ counsel, but no electronic or hard copies of those documents

1 were given to the latter. Indeed, Chunghwa produced *no* documents to DPPs' counsel until *March*
 2 *8, 2010*, when it made a production to all parties in the case. As a result, the DPPs will not be
 3 providing citations to documents produced by Chunghwa, because they did not possess them prior
 4 to the filing of the DP-CAC.¹ The DPPs believe that documents produced by Chunghwa after the
 5 filing of the DP-CAC (as well as documents produced by other Defendants) further support their
 6 contentions regarding CRT Products, but the terms of the R&R do not require the DPPs to sort
 7 through the voluminous productions and provide that information.

8 *Third*, while this narrative response will refer to various conspiratorial meetings described
 9 by Chunghwa's counsel at the oral proffer, the latter made it clear that their proffer was confined
 10 to meetings attended by representatives of Chunghwa. It is clear that there were other
 11 conspiratorial meetings not attended by such representatives, as reflected, for example, in
 12 documents produced by various Samsung entities in September through November of 2010.
 13 Again, however, no discussion of these documents is contained in this narrative response.

14 *Fourth*, the Special Master noted that the discovery was relevant "[u]nder any of three
 15 scenarios--one conspiracy alleging both CRT Products and CRTs, one conspiracy for CRTs and
 16 one for CRT Products, or a conspiracy for CRTs which merely *impacted* the prices for CRT
 17 Products....." R&R at 5; emphasis in original. The Special Master is correct that it is not necessary
 18 to decide at this juncture which of these three scenarios is applicable here; the DPPs could recover
 19 damages under any of them. Moreover, as the DPPs have made clear throughout this case, the DP-
 20 CAC is intended to describe the first of these scenarios--a unitary conspiracy that encompasses
 21 both CRTs and CRT Products (including finished products, primarily televisions and computer
 22 monitors) manufactured and sold by Defendants. *See, e.g.*, Transcript of Hearing of October 5,
 23 2009 at 78-89, attached as Exhibit 1 to the "Declaration of Jeffrey A. Kessler" (Feb. 19, 2010)
 24 (Dkt. No. 621); Transcript of Hearing of November 12, 2010 at 28-31. In answering these

25
 26 ¹ To the extent references are made in this response to publicly available materials, the DPPs are
 27 providing citations to websites where they may be found.
 28

1 contention interrogatories, the DPPs will respond with respect to the conspiracy that they alleged
 2 in the DP-CAC, not the one Defendants seek to define. However, even assuming *arguendo* that
 3 the focus of the conspiracy was on CRTs, to the extent that Defendants incorporated the price-
 4 fixed component in finished CRT Products that they then sold, they fixed the prices of those
 5 products as well. *See* Section III.D, *infra*. To constitute horizontal price-fixing, the agreement
 6 among competitors need not directly concern the final or total prices charged to customers;
 7 agreements to fix *any* element of price have been held to constitute *per se* unlawful price-fixing of
 8 the product or service at issue. *See Catalano, Inc. v. Target Sales, Inc.*, 446 U.S. 643, 645, 648
 9 (1980); *Northwestern Fruit Co. v. A. Levy & J. Zentner Co.*, 665 F.Supp. 869, 871 (E.D. Cal.
 10 1986). As the United States Supreme Court explained sixty years ago in *United States v. Socony -*
 11 *Vacuum Oil Co.*, 310 U.S. 150, 223-24 (1940) (citations omitted):

12 Under the Sherman Act a combination formed for the purpose and with the effect
 13 of raising, depressing, fixing, pegging, or stabilizing the price of a commodity in
 14 interstate or foreign commerce is illegal *per se*. Where the machinery for price-
 15 fixing is an agreement on the prices to be charged or paid for the commodity in
 16 the interstate or foreign channels of trade, the power to fix prices exists if the
 17 combination has control of a substantial part of the commerce in that commodity.
 18 Where the means for price-fixing are purchases or sales of the commodity in a
 19 market operation or, as here, purchases of a part of the supply of the commodity
 20 for the purpose of keeping it from having a depressive effect on the markets, such
 21 power may be found to exist though the combination does not control a
 22 substantial part of the commodity. In such a case that power may be established if
 23 as a result of market conditions, the resources available to the combinations, the
 24 timing and the strategic placement of orders and the like, effective means are at
 25 hand to accomplish the desired objective. But there may be effective influence
 26 over the market though the group in question does not control it. Price-fixing
 27 agreements may have utility to members of the group though the power possessed
 28 or exerted falls far short of domination and control. Monopoly power is not the
 only power which the Act strikes down, as we have said. Proof that a combination
 was formed for the purpose of fixing prices and that it caused them to be fixed or
 contributed to that result is proof of the completion of a price-fixing conspiracy
 under § 1 of the Act.

23 In a footnote, the Court went on to explain (*id.* at 224 n.59 (citations omitted):

24 In view of these considerations a conspiracy to fix prices violates § 1 of the Act
 25 though no overt act is shown, though it is not established that the conspirators had
 26 the means available for accomplishment of their objective, and though the
 27 conspiracy embraced but a part of the interstate or foreign commerce in the
 28 commodity. Whatever may have been the status of price-fixing agreements at
 common law, the Sherman Act has a broader application to them than the
 common law prohibitions or sanctions. Price-fixing agreements may or may not
 be aimed at complete elimination of price competition. The group making those

1 agreements may or may not have power to control the market. But the fact that the
 2 group cannot control the market prices does not necessarily mean that the
 3 agreement as to prices has no utility to the members of the combination. The
 4 effectiveness of price-fixing agreements is dependent on many factors, such as
 5 competitive tactics, position in the industry, the formula underlying price policies.
 6 Whatever economic justification particular price-fixing agreements may be
 7 thought to have, the law does not permit an inquiry into their reasonableness.
 8 They are all banned because of their actual or potential threat to the central
 9 nervous system of the economy. The existence or exertion of power to accomplish
 10 the desired objective becomes important only in cases where the offense charged
 11 is the actual monopolizing of any part of trade or commerce in violation of § 2 of
 12 the Act, 15 U.S.C.A. § 2. An intent and a power to produce the result which the
 13 law condemns are then necessary. As stated in *Swift & Co. v. United States*, 196
 14 U.S. 375, 396, 25 S.Ct. 276, 279, 49 L.Ed. 518, ‘* * * when that intent and the
 15 consequent dangerous probability exist, this statute, like many others, and like the
 16 common law in some cases, directs itself against that dangerous probability as
 17 well as against the completed result.’ But the crime under § 1 is legally distinct
 18 from that under § 2 though the two sections overlap in the sense that a monopoly
 19 under § 2 is a species of restraint of trade under § 1. Only a confusion between the
 20 nature of the offenses under those two sections would lead to the conclusion that
 21 power to fix prices was necessary for proof of a price-fixing conspiracy under § 1.

22 **II. RELEVANT INFORMATION OBTAINED FROM THE ORAL PROFFER BY** 23 **CHUNGHWA.**

24 The information provided by Chunghwa consisted of an overview of the CRT industry,
 25 detailed descriptions of each participant in the alleged conspiracy of which Chunghwa was aware,
 26 an explanation of how the alleged conspiracy worked over time, and a description of the times
 27 and places of, and attendees at, various meetings in Asia in which representatives of Chunghwa
 28 participated. As noted above, there were meetings in Asia that Chunghwa did not attend. There
 were also meetings in geographic regions other than Asia that Chunghwa did not attend, because it
 had no operations in those regions.

29 **A. Scope Of The Alleged Conspiracy.**

30 The unitary conspiracy alleged in the DP-CAC encompassed: (a) color picture tubes (“CPTs”),
 31 which are CRTs used in color televisions and similar devices; (b) color display tubes (“CDTs”),
 32 which are CRTs used in color computer monitors or similar devices; and (c) electronic devices
 33 containing CPTs (such as televisions) or CDTs (such as computer monitors).

34 With respect to CRT Products, Defendants or their agents agreed, *inter alia*, to: (a) fix
 35 target prices and price guidelines; (b) exchange pertinent information on, *inter alia*, shipments,
 36 prices, production, and customer demand; (c) coordinate public statements regarding available

1 capacity and supply; (d) resolve issues created by asymmetrical vertical integration among some
 2 of the co-conspirators; (e) keep their collusive meetings secret; (f) expose cheating on the
 3 agreements and to discuss the reconciliation of accounts; (g) allocate market share of overall sales;
 4 (g) influence and, at times, coordinate pricing with producers in other geographic areas; (h) limit
 5 competition for certain key customers; (i) allocate customers; (j) allocate each producer's share of
 6 certain key customers' sales; and (k) restrict output.

7 The conspiracy alleged in the DP-CAC began in 1995 and initially consisted of bilateral
 8 meetings between various Defendants. The first report Chunghwa had of a bilateral meeting was
 9 one that occurred on March 3, 1995. The bilateral meetings continued until at least March of 2006.
 10 Over 240 such bilateral meetings occurred during the Class Period identified in the DP-CAC
 11 (March 1, 1995 through November 25, 2007). As noted earlier, representatives of Chunghwa did
 12 not attend every meeting. The meetings took various forms and were attended by different
 13 individuals of the respective Defendant companies or corporate families. The bilateral meetings
 14 encompassed: (1) information exchanges between working level sales or marketing; (2) meetings
 15 between the senior sales management or senior company management intended to resolve disputes
 16 arising out of a failure to reach agreements or intended to follow up on group meeting discussions;
 17 and (3) meetings between the employees of a company who regularly attended group meetings,
 18 and employees of a company who did not, for the purpose of coordination.

19 *Ad hoc* multilateral meetings in furtherance of the unitary conspiracy alleged in the DP-
 20 CAC commenced in 1995. There is a report of one such meeting in 1995, and three such meetings
 21 in 1996. Beginning in 1997, more regular and systematic group meetings began occurring. Over
 22 260 such meetings occurred during the Class Period. Again, Chunghwa did not attend all of these
 23 meetings. At some point, these meetings became known as "Glass Meetings" or "GSM." In
 24 general, the types of meetings were:

25
 26 **"Top Meetings"** – meetings held by individuals at highest level of the company.
 27 These happened less frequently, typically quarterly and were focused on longer
 28 term agreements and dispute resolution. Top Meetings occurred in South Korea,
 Taiwan, and China.

1 “**Management Meetings**” – meetings held by high-level sales executives. These
 2 meetings occurred more frequently, typically monthly, and handled
 3 implementation of agreements made at Top Meetings. Management level
 4 meetings occurred in South Korea, Taiwan, China, Indonesia, Japan, and
 5 Thailand.

6 “**Working Level Meetings**” – lower level sale and marketing employees meet to
 7 exchange data and discuss pricing. Working level meetings occurred in South
 8 Korea, Taiwan, and China.

9 “**Green Meetings**” – meetings on golf courses.²

10 There were distinct Glass Meetings with respect to CPTs and CDTs, although many of the
 11 participants overlapped. Initially, the CPT and CDT meetings were held back to back at the same
 12 locations. At meetings held on May 23, 2000, the attendees raised confidentiality concerns about
 13 the information discussed at meetings, so the participants agreed that CPT and CDT meetings
 14 would be held on separate days and that limits would be placed on the number of attendees,
 15 starting after June 2000 meeting. The last CPT group meeting attended by Chunghwa occurred in
 16 February of 2007. The group was scheduled to meet again on April 5 and 6, 2007, but Chunghwa
 17 did not attend this meeting.

18 **B. Participants In The Alleged Conspiracy**

19 The participants in the unitary conspiracy alleged in the DP-CAC included: Chunghwa
 20 (and through it, Tatung Corporation); Thai-CRT Co., Ltd. (“Thai CRT”); the Daewoo Group
 21 (partly through its subsidiaries DOSA and Orion Electric Co. (“Orion”)) (“collectively
 22 “Daewoo”); Beijing Matsushita Color Display Co. (“BMCC”); Matsushita Toshiba Picture
 23 Display Co., Ltd. (“MTPD”); Samtel Color, Ltd. (“Samtel”); and entities that are or were part of
 24 the Hitachi, Toshiba, Samsung, LG Electronics, Panasonic (formerly Matsushita), Philips, and
 25 Irico corporate families.³ Those Defendants who are part of specific corporate families are referred

26 ² These meetings also occurred in Europe and Latin America; Chunghwa did not attend the latter,
 27 because it had no operations in that region. The meetings in Europe will be referred to herein as
 28 “Europe Meetings.” These meetings also included multilateral meetings in China that will be
 referred to herein as “China meetings.”

³ The LG entities included LG. Philips Displays, which later became LP Displays International,
 L.P. (collectively “LPD”).

1 to collectively in the DP-CAC by the name of that corporate family and those collective references
 2 are incorporated in this narrative response. *See* DP-CAC ¶¶ 36, 40, 45, 50, 57, 67, 78. As
 3 explained in the DP-CAC at paragraph 154:

4 When Plaintiffs refer to a corporate family or companies by a single name in their
 5 allegations of participation in the conspiracy, it is to be understood that the
 6 Plaintiffs are alleging that one or more employees or agents of entities within the
 7 corporate family engaged in conspiratorial meetings on behalf of every company
 8 in that family. In fact, the individual participants in the conspiratorial meetings
 9 and discussions did not always know the corporate affiliation of their
 10 counterparts, nor did they distinguish between the entities within a corporate
 11 family. The individual participants entered into agreements on behalf of, and
 12 reported these meetings and discussions to, their respective corporate families. As
 13 a result, the entire corporate family was represented in meetings and discussions
 14 by their agents and was parties to the agreements reached in them. For the various
 15 meeting participants identified below, in many instances, their high-ranking
 16 executives participated in a significant number of the meetings described.

17 **Chunghwa** participated in over 240 illegal bilateral and over 260 illegal group meetings
 18 between 1995 and 2007 (summarized in the grid below) in which unlawful agreements as to, *inter*
 19 *alia*, price, output restrictions, and customer and market allocation of CRT Products occurred.
 20 These meetings took place in Southeast Asia, China, Europe and Scotland. Among the
 21 representatives of Chunghwa who participated in these meetings were C.Y. Lin, C.C. Liu, Michael
 22 Du, Tony Cheng, and Christina Hsieh.

23 **Daewoo** participated in multiple illegal bilateral and at least several dozen group meetings
 24 from 1996 to 2004 in which unlawful agreements as to, *inter alia*, price, output restrictions, and
 25 customer and market allocation of CRT Products occurred. These included at least four bilateral
 26 meetings, 15 Top Meetings, 17 Management Meetings, 57 Glass Meetings, 15 Working Level
 27 meetings, 22 China Meetings, five Europe Meetings, one audit and four Green Meetings. These
 28 meetings occurred in China, South Korea, Malaysia, Taiwan, Thailand, and the U.K. Among the
 executives who attended these meetings on behalf of the Daewoo corporate family were H.C.
 Moon and Karl Min.

Hitachi participated in over a dozen illegal bilateral and group meetings from 1996
 through at least 2001 in which unlawful agreements as to, *inter alia*, price, output restrictions, and
 customer and market allocation of CRT Products occurred. These included at least two bilateral

1 meetings, five Management Meetings, two Glass Meetings, one Working Level meeting, and 22
2 China Meetings. These meetings took place in Taiwan and China.

3 **Irico** participated in multiple illegal bilateral and at least several dozen illegal group
4 meetings from 1998 to 2006 in which unlawful agreements as to, *inter alia*, price, output
5 restrictions, and customer and market allocation of CRT Products occurred. These included at
6 least eight bilateral meetings, 31 China Meetings, and two Europe Meetings. These meetings took
7 place in China and Europe. Among the executives who attended these meetings on behalf of the
8 Irico corporate family were Ma Jinquan and Chao Wang.

9 **LG** participated in more than a dozen illegal bilateral and more than a hundred illegal
10 group meetings from 1995 to 2006 ((including its participation through LPD) in which unlawful
11 agreements as to, *inter alia*, price, output restrictions, and customer and market allocation of CRT
12 Products occurred. These included at least four bilateral meetings, 19 Top Meetings, 33
13 Management Meetings, 114 Glass Meetings, 17 Working Level meetings, 25 China Meetings, two
14 Europe Meetings, one audit and 17 Green Meetings. These meetings took place in Taiwan, South
15 Korea, Indonesia, Thailand, Singapore, Malaysia, and China. Among the executives who attended
16 these meetings on behalf of the LG corporate family were Jim Smith, K.S. Cho, S.Y. Choi, and
17 C.G. Kim.

18 **Panasonic** participated in several dozen illegal bilateral and group meetings from 1996
19 through at least 2006 in which unlawful agreements as to, *inter alia*, price, output restrictions, and
20 customer and market allocation of CRT Products occurred. These included at least 43 bilateral
21 meetings, one Glass Meeting, and one Working Level Meeting. These meetings took place in
22 Taiwan, Malaysia, and China.

23 **Philips** participated in over 100 illegal bilateral and group meetings from 1996 through
24 2007 (including its participation through LG. Philips Display Co. (Later LP Display, Inc.)
25 (“LPD”)) in which unlawful agreements as to, *inter alia*, price, output restrictions, and customer
26 and market allocation of CRT Products occurred. These included at least four bilateral meetings,
27 17 Top Meetings, 32 Management Meetings, 98 Glass Meetings, 19 Working Level meetings, 35
28

1 China Meetings, eight Europe Meetings, and 16 Green Meetings. These meetings occurred in
2 South Korea, Taiwan, China, Malaysia, Japan, Singapore, Thailand, Indonesia, Scotland, and
3 various locations in Europe. Among the executives who attended these meetings on behalf of the
4 Philips corporate family were Jim Smith, Jerry Lin, S.Y. Choi, and C.G. Kim.

5 **Samsung** participated in hundreds of illegal bilateral and illegal group meetings from 1995
6 through at least 2006 in which unlawful agreements as to, *inter alia*, price, output restrictions, and
7 customer and market allocation of CRT Products (including CDT Products and CPT Products)
8 occurred. These included at least 77 bilateral meetings, 22 Top Meetings, 35 Management
9 Meetings, 121 Glass Meetings, 20 Working Level meetings, 38 China Meetings, three Europe
10 Meetings, four audits and 17 Green Meetings. These meetings occurred in South Korea, Taiwan,
11 China, Malaysia, Japan, Singapore, Thailand, the United Kingdom, and various locations in
12 Europe. Among the Samsung executives who attended these meetings on behalf of the Samsung
13 corporate family were Inn Kim and Deok Yon Kim.

14 **Thai CRT** participated in over 50 illegal bilateral and group meetings between 1998 and
15 2006 in which unlawful agreements as to, *inter alia*, price, output restrictions, and customer and
16 market allocation of CPT Products occurred. These included at least five bilateral meetings, five
17 Management Meetings, 40 Glass Meetings, one Working Level meeting, one China Meeting, and
18 one Green Meeting. These meetings occurred in Taiwan, South Korea, Thailand, Malaysia,
19 Indonesia, Singapore, and China. Among the executives who attended these meetings on behalf of
20 the Thai CRT corporate family were Chaovalit Ekabut and Thamasak Chaiyavech.

21 **BMCC** participated in at over 20 illegal bilateral group meetings between 1998 and 2007
22 in which unlawful agreements as to, *inter alia*, price, output restrictions, and customer and market
23 allocation of CRT Products occurred. These included at least one bilateral meeting and 28 China
24 Meetings. These meetings occurred in China.

25 **MTPD** participated in at several dozen illegal bilateral and group meetings between 2003
26 and 2006 in which unlawful agreements as to, *inter alia*, price, output restrictions, and customer
27 and market allocation of CPT Products occurred. These included at least 24 Glass Meetings. These
28

1 meetings occurred in Malaysia, Thailand, Singapore, Taiwan, and Indonesia. Among the MTPD
2 executives who attended these meetings on behalf of the Panasonic and Toshiba corporate families
3 was Kazuteru Yasakawa.

4 **Toshiba** participated in over 50 illegal bilateral and group meetings between 1995 and
5 2006 (including its participation through MTPD) in which unlawful agreements as to, *inter alia*,
6 price, output restrictions, and customer and market allocation of CRT Products occurred. These
7 included at least 50 bilateral meetings and four Glass Meetings. These meetings occurred in
8 Taiwan, Thailand, and Indonesia. Among the executives who attended these meetings on behalf of
9 the Toshiba corporate family were Masaru Ohmori and Seiichi (or Shigishi) Fukunaga.

10 **Samtel** participated in two illegal bilateral meetings between 1998 and 2006 in which
11 unlawful agreements as to, *inter alia*, price, output restrictions, and customer and market
12 allocation of CPT Products occurred. These meetings occurred in Malaysia. Sunil Kakria was
13 involved in these meetings on behalf of Samtel.

14 Chunghwa routinely prepared internal reports of the various bilateral and Glass Meetings.
15 After any meeting with customers, competitors, or others outside the company, a junior level
16 employee attending the meeting was responsible for preparing a written report. The resultant
17 document was circulated up the intracorporate chain of authority – first to a direct supervisor, and
18 stopping at a senior sales manager, vice-president, or the president/CEO level. At each level of
19 the chain of distribution, the reviewer initialed the report. A reviewer also often wrote comments
20 or directions for subordinates on the face of the report, and those subordinates would receive those
21 communications as the report circulated back down the chain of authority. These reports were later
22 produced by Chunghwa as part of its 2010 document production.

23 Based on these reports, Chunghwa gave DPPs' counsel a summary of the various
24 conspiratorial meetings that occurred for which a report had been prepared. The following grid
25 represents relevant portions of that summary, listing the type of meeting, the date and place of
26 each meeting, and the corporate (and sometimes individual) participants.

27

28

	Date	Location	Meeting Type	Business Participants (Defendants)
1	March 22, 1995	Malaysia	Bilateral	Samsung; CGW
2	May 29, 1995	Malaysia	Bilateral	Lucky Goldstar Electronics, which is now LG; CGW
3	June 29, 1995	Malaysia	Bilateral	Samsung; CGW
4	July 17, 1995	Unknown	Bilateral	Samsung; CGW
5	Aug. 16, 1995	Malaysia	Bilateral	Samsung; CGW
6	Aug. 23, 1995	Taiwan, Taipei	Bilateral Sa	msung; CGW
7	Sept 7, 1995	Taiwan, Taipei	Bilateral Toshiba;	CGW
8	Sept. 18, 1995	Unknown	Bilateral	Samsung; CGW
9	Sept. 19, 1995	Malaysia	Bilateral	Samsung (M); CGW
10	Sept. 22, 1995	Unknown	Bilateral	Toshiba; CGW
11	Oct. 5, 1995	Taiwan	Glass	Samsung; Goldstar (now LG); CGW
12	Nov. 14, 1995	Unknown	Bilateral	Sony; CGW
13	Dec. 4, 1995	Taiwan	Bilateral Mitsubishi Electric;	CGW
14	Dec. 5, 1995	Unknown	Bilateral	LG; CGW
15	Dec. 6, 1995	Malaysia	Bilateral	Samsung; CGW
16	Dec. 15, 1995	Taiwan	Bilateral	Sony Xinji Electronics; CGW
17	Feb. 2, 1996	Malaysia	Bilateral	Samsung; CGW
18	Feb. 9, 1996	Thailand	Bilateral	Toshiba; CGW
19	March 4, 1996	Unknown	Bilateral Daewoo;	CGW
20	March 17-18, 1996	Korea	Unknown	Samsung; LG; Orion; Philips; CGW
21	March 19, 1996	Malaysia	Bilateral	Samsung; CGW
22	April 15, 1996	Taiwan	Bilateral	Samsung; CGW
23	April 18, 1996	Taiwan, Taipei	Bilateral Sa	msung; CGW
24	April 18, 1996	Taiwan, Taipei	Bilateral Sony;	CGW
25	April 23, 1996	Malaysia	Bilateral Matsushita;	CGW
26	April 29, 1996	Unknown	Bilateral	Toshiba; CGW

1	May 6, 1996	Taiwan	Bilateral	MEC; CGW
2	May 7, 1996	By Telephone	Unknown	Samsung, LG; CGW
3	May 17, 1996	Malaysia	Bilateral	Samsung; CGW
4	May 17, 1996	Unknown	Bilateral	Orion; CGW
5	May 24, 1996	Malaysia	Bilateral	Orion; CGW
6	June 10, 1996	Malaysia	Bilateral	Samsung; CGW
7	June 10, 1996	Unknown	Bilateral	Samsung; CGW
8	June 12, 1996	Unknown	Bilateral	Mitsubishi; CGW
9	June 12, 1996	Malaysia	Bilateral	LG; CGW
10	June 17, 1996	Unknown	Bilateral	Toshiba; CGW
11	July 17, 1996	Taiwan	Bilateral Matsushita;	CGW
12	July 19, 1996	Unknown	Bilateral	Toshiba; CGW
13	Aug. 21, 1996	Unknown	Bilateral	Samsung; CGW
14	Sept. 4, 1996	Unknown	Bilateral	Toshiba; CGW
15	Sept. 11, 1996	Malaysia	Bilateral	Samsung; CGW
16	Sept. 23, 1996	Taiwan Taipei	Bilateral Hitachi;	CGW
17	Oct. 2, 1996	Taiwan Taipei	Bilateral Sa	msung; CGW
18	Oct. 3, 1996	Taiwan	Bilateral	Toshiba; CGW
19	Oct. 4, 1996	Unknown	Unknown	Philips; CGW
20	Oct. 9, 1996	Taiwan, Taipei	Bilateral Toshiba;	CGW
21	Oct. 21, 1996	Malaysia	Bilateral	Samsung; CGW
22	Oct. 22, 1996	Taiwan	Bilateral	Philips; CGW
23	Oct. 22, 1996	Scotland	Bilateral	Samsung; CGW
24	Oct. 24, 1996	Unknown	Bilateral	LG; CGW
25	Oct. 30, 1996	Taiwan	Bilateral	Matsushita; CGW
26	Nov. 14, 1996	Taiwan	Bilateral	Samsung ; CGW
27	Nov. 21, 1996	Taiwan	Bilateral	Hitachi; CGW
28				

1	Nov. 21, 1996	Unknown	Bilateral	Mitsubishi Electric; CGW
2	Nov. 23, 1996	Unknown	Top Level	<u>Samsung</u> : CEO Sun
3				<u>Orion</u> : CEO Yan
4				<u>CGW</u> : Chieng – Yuan (“C.Y.”) Lin; Chih – Chun (“C.C.”) Liu; Jing – Song (“Jason”) Lu; President Fang
5				
6	Nov. 25, 1996	Unknown	Management	Hitachi; Samsung; CGW
7	Nov. 26, 1996	Unknown	Bilateral	Samsung; CGW
8	Nov. 27, 1996	By telephone	Bilateral	Samsung; CGW
9	Dec. 2, 1996	Malaysia	Bilateral	Samsung; CGW
10	Dec. 18, 1996	Unknown	Bilateral	Samsung; CGW
11	Jan. 8, 1997	Taiwan	Bilateral	Samsung; CGW
12	Jan. 9, 1997	Taiwan	Bilateral	Matsushita; CGW
13	Jan. 10, 1997	Taiwan	Bilateral	Hitachi; CGW
14	Jan. 10, 1997	Taiwan	Bilateral	Toshiba; CGW
15	Jan. 15, 1997	Taiwan	Bilateral LG;	
16	Jan. 28, 1997	Unknown	Top Level	<u>CGW</u>
17				<u>Samsung</u> : Mr. Na; Mr. Ha; Mr. Lee
18				
19				<u>Philips</u> : President Yu
20				<u>Orion</u> : Mr. Moon; Mr. Hee Kil Moon
21				
22				<u>CGW</u> : C.Y. Lin; C.C. Liu; Wen – Chun (Tony) Cheng; Ching-Yuan (Michael) Du
23				
24	Feb. 24, 1997	Taiwan	Bilateral	Samsung; CGW
25	Feb. 24, 1997	Taiwan Taipei	Bilateral	LG, maybe Samsung; CGW
26	Feb. 25, 1997	Unknown	Top Level	<u>Samsung</u> Ming-Pei Song; Mr. Yoon; Mr. Na
27				
28				

1				<u>LG</u> Taipei President Lin
2				<u>Philips</u>
3				Market Sales Senior Manager Tseng;
4				<u>CGW</u>
5				C.Y. Lin.
6				C.C. Liu,
				Tony Cheng,
				Michael Du,
				Plant Manager Chen
7	Feb. 27, 1997	Unknown	Bilateral	Toshiba; CGW
8	Feb. 27, 1997	Unknown	Bilateral	Daewoo; CGW
9	March 4, 1997	Taiwan	Bilateral	Matsushita: CGW
10	March 12, 1997	Unknown	Working Level	Samsung, Hitachi, LG, Orion, MEC, Philips; CGW
11	March 12, 1997	Unknown	Unknown	Samsung, LG, Toshiba, Daewoo, and Thai CRT; CGW
12	March 12, 1997	Unknown	Glass	Samsung, LG, Daewoo, Philips, Hitachi, and Matsushita: CGW
13	March 12, 1997	Unknown	Glass	Samsung, LG, Daewoo, Philips, Hitachi, and Matsushita: CGW
14	March 19, 1997	Unknown	Working	Samsung, Philips, Orion, LG: CGW
15	March 26, 1997	Unknown	Glass	Samsung, Philips; CGW
16	April 7, 1997	Taiwan	Bilateral	Toshiba: CGW
17	April 7, 1997	Taipei	Bilateral	CGW
18	April 8, 1997	Unknown	Bilateral	Samsung; CGW
19	April 9, 1997	Taiwan	Bilateral	Matsushita Electronics; CGW
20	April 23, 1997	Unknown	Glass	Samsung, Philips, Orion; CGW
21	April 23, 1997	Unknown	Bilateral	Matsushita; CGW
22	April 29, 1997	Taiwan	Bilateral	Hitachi; CGW
23	May 2, 1997	Unknown	Bilateral	Samsung; CGW
24	May 9, 1997	Unknown	Working Level	Samsung, LG, Orion, and Philips; CGW
25	May 16, 1997	Unknown	Glass	Samsung, LG; CGW
26	May 20, 1997	Taiwan	Glass	Samsung, Philips, LG; CGW
27	May 20, 1997	Malaysia	Bilateral	Samsung: CGW
28	May 20, 1997	Unknown	Bilateral	Orion;

			CGW
1	May 23, 1997	Malaysia	Bilateral Matsushita; CGW
2	May 27, 1997	Taiwan Taipei	Bilateral Toshiba; CGW
3	June 4, 1997	Unknown	Bilateral Samsung; CGW
4	June 5, 1997	Unknown	Bilateral Samsung; CGW
5	June 9, 1997	Korea	Top Level Orion (Director Wen), Samsung (Director Luo); CGW (C.Y. Lin, C.C. Liu)
6			
7	June 16, 1997	Taiwan	Bilateral Orion (Taipei); CGW
8	July 2, 1997	Unknown	Bilateral Samsung; CGW
9	July 4, 1997	Unknown	Bilateral Toshiba; CGW
10	July 8, 1997	Unknown	Bilateral Samsung; CGW
11	July 9, 1997	Taiwan Taipei	Bilateral Matsushita Electric Co.; CGW
12	July 16, 1997	Unknown	Bilateral Toshiba; CGW
13	July 18, 1997	Unknown	Bilateral Samsung; CGW
14	Aug. 1, 1997	Unknown	Bilateral Meeting Samsung; CGW
15	Aug. 18, 1997	Unknown	Bilateral Samsung; CGW
16	Aug. 29, 1997	Unknown	Bilateral Toshiba; CGW
17	Sept. 8, 1997	By telephone	Bilateral Samsung; CGW
18	Sept. 9, 1997	Malaysia	Bilateral Samsung; CGW
19	Sept. 12, 1997	Bilateral Taiwan	Matsushita; CGW
20	Sept. 22, 1997	Singapore	Bilateral LG; CGW
21	Sept. 29, 1997	Unknown Bilateral	Toshiba; CGW
22	Oct. 6, 1997	Taiwan	Bilateral Toshiba; CGW
23	Oct. 9, 1997	Taiwan	Glass Samsung, Philips; CGW
24	Oct. 13, 1997	Unknown	Bilateral MEC; CGW
25	Oct. 15, 1997	Malaysia	Bilateral MEC; CGW
26	Oct. 20, 1997	Unknown	Bilateral Samsung; CGW
27	Oct. 30, 1997	Taiwan	Glass Samsung, Philips; CGW
28			

1	Nov. 4, 1997	Malaysia	Bilateral	Samsung; CGW
2	Nov. 6, 1997	By telephone	Bilateral	Orion; CGW
3	Nov. 7, 1997	Taiwan Taipei	Bilateral Matsushita;	CGW
4	Nov. 11, 1997	Unknown	Bilateral	Samsung; CGW
5	Nov. 21, 1997	Taiwan	Glass	Samsung, Philips, LG; CGW
6	Nov. 24, 1997	Unknown	Bilateral	Thai – CRT; CGW
7	Dec. 8, 1997	Malaysia	Bilateral	Samsung; CGW
8	Dec. 9, 1997	Taiwan	Glass	Samsung, Orion; CGW
9	Dec. 24, 1997	Taiwan	Bilateral Matsushita;	CGW
10	Jan. 5, 1998	Unknown	Bilateral	Samsung; CGW
11	Jan. 14, 1998	Taiwan	Bilateral	Samsung; CGW
12	Jan. 14, 1998	Unknown	Bilateral	Toshiba; CGW
13	Jan. 16, 1998	Taiwan Taipei	Bilateral Matsushita;	CGW
14	Jan. 19, 1998	Unknown	Bilateral	Samsung; CGW
15	Jan. 19, 1998	Unknown	Bilateral	Matsushita; CGW
16	Jan. 20, 1998	Taiwan	Bilateral	Toshiba; CGW
17	Feb. 11, 1998	Taiwan, Taipei	Bilateral Matsushita;	CGW
18	Feb. 12, 1998	Unknown	Bilateral	Samsung; CGW
19	Feb. 18, 1998	Taiwan, Taipei	Bilateral LG;	CGW
20	Feb. 19, 1998	Taiwan	Bilateral	Samsung; CGW
21	Feb. 20, 1998	Taiwan	Bilateral	Orion; CGW
22	Feb. 24, 1998	Taiwan	Bilateral	Samsung; CGW
23	March 4, 1998	Unknown	Glass	Samsung, Philips, Orion; CGW
24	March 4, 1998	Unknown	Bilateral	LG; CGW
25	March 11, 1998	Taiwan	Bilateral	Toshiba; CGW
26	March 20, 1998	Taiwan Taipei	Bilateral Matsushita;	CGW
27	March 25, 1998	Taiwan	Bilateral	Samsung
28	March 30, 1998	Taiwan	Glass	Samsung, LG, Orion;

		Taipei CGW		
1	April 1998 (no date available)	China Bilateral		Nanjing Huafei (part of LPD group); CGW
2	April 9, 1998	Taiwan	Bilateral	Samsung; CGW
3	April 14, 1998	Unknown	Bilateral	Samsung; CGW
4	April 14, 1998	Taiwan	Bilateral	Toshiba; CGW
5	April 15, 1998	Taiwan	Bilateral	Samsung; CGW
6	April 15, 1998	Taiwan	Bilateral Matsushita;	CGW
7	April 21, 1998	Taiwan, Taipei	Bilateral LG;	CGW
8	April 23, 1998	Unknown	Bilateral	Sony; CGW
9	April 24, 1998	Malaysia	Bilateral	Samsung; CGW
10	April 28, 1998	Taiwan	Bilateral	Samsung; CGW
11	May 5, 1998	Malaysia	Glass	Samsung, and LG; CGW
12	May 13, 1998	Unknown	Bilateral	LG; CGW
13	May 18, 1998	Unknown	Bilateral	Orion; CGW
14	May 18, 1998	Unknown Bilateral		Toshiba; CGW
15	May 27, 1998	Taiwan Taipei	Bilateral	Matsushita; CGW
16	June 1, 1998	Korea	GLASS	Samsung; Orion; CGW
17	June 10, 1998	Taiwan Taipei	Bilateral	Samsung; CGW
18	June 29, 1998	Unknown Bilateral		Orion; CGW
19	July 3, 1998	Taiwan Bilateral	ral	Toshiba CGW
20	July 3, 1998	Taiwan Bilateral	ral	Matsushita; CGW
21	July 8, 1998	Malaysia Bilateral	ral	LG; CGW
22	July 9, 1998	Unknown Bilateral		LG; CGW
23	July 14, 1998	Malaysia Bilateral		Samsung; CGW
24	July 28, 1998	Malaysia Bilateral		Samsung; CGW
25	Aug. 5, 1998	China	China meeting	Samsung; Philips; BMCC; Irico; CGW
26	Aug. 20, 1998	Unknown Bilateral		Toshiba; CGW
27	Aug. 21, 1998	Unknown	Bilateral	Hitachi;

1	CGW			
2	Aug. 25, 1998	Malaysia Working-level		Samsung, LG; CGW
3	Aug. 25, 1998	Taiwan Taipei	Bilateral	Matsushita; CGW
4	Sept. 4, 1998	China (Nanjing)	China meeting	Philips; Samsung; Irico; BMCC; Orion; LG; CGW
5	Sept. 7, 1998	Unknown	Glass	Samsung, LG, Orion; Thai CRT; CGW
6	Sept. 15, 1998	Unknown Bilateral		Panasonic; CGW
7	Sept. 26, 1998	Unknown	Glass	Samsung; LG; Orion; Thai CRT; CGW
8	Sept. 26, 1998	Unknown Bilateral		Matsushita; CGW
9	Oct. 9, 1998	China (Fuzhou)	China meeting	Samsung; Philips; Orion; LG; Irico; CGW
10	Oct. 14, 1998	Unknown Bilateral meeting		Samsung; CGW
11	Oct. 15, 1998	Taiwan Bilateral meeting		Toshiba; CGW
12	Oct. 15, 1998	Taiwan Bilateral meeting		Matsushita; CGW
13	Oct. 28, 1998	Unknown Europe Glass meeting		LG; Orion; Samsung; Philips; CGW
14	Nov. 6, 1998	China (Xi'an)	China meeting	Philips; Samsung; Orion; Irico; BMCC; CGW
15	Nov. 20, 1998	Unknown Bilateral meeting		Hitachi; CGW
16	Nov. 27, 1998	Unknown	Glass meeting	Samsung; LG; Orion; Thai CRT; CGW
17	Dec. 8-10, 1998	China (Beijing)	China meeting	Philips; Samsung; LG; Orion; Irico; BMCC; CGW
18	Dec. 11, 1998	Unknown Bilateral meeting		Matsushita; CGW
19	Dec. 16, 1998	Taiwan Bilateral meeting		Toshiba; CGW
20	Dec. 17, 1998	Unknown Bilateral meeting		LG; CGW
21	Dec. 18, 1998	Unknown Bilateral meeting		Mitsubishi; CGW
22	Dec. 28, 1998	China (Xiamen)	China meeting	Philips; Samsung; Orion; Irico; CGW
23	Jan. 8, 1999	China (Xiamen)	China meeting	Samsung; Huafei; Orion; Irico; Philips; CGW
24	Jan. 13, 1999	Unknown	Glass meeting	Samsung; Philips; Orion; LG; CGW
25	Jan. 18, 1999	Taiwan Top-level meeting		Samsung; Mr. Inn Kim, Mr. D.Y. Kim, Mr. Na, Mr. Ha, Mr. J.I. Lee

1				<u>LG</u> : S.Y. Choi, C.S. Jeon, Mr. K.Y. Ko, J.M. Park
2				<u>Orion</u> : H.C. Moon, K.H. Kang, J.H. Moon
3				<u>Philips</u> : David Chang, Jerry Lin, Mr. Rosa Hu
4				<u>CGW</u> : C.Y. Lin, C.C. Liu, Tony Cheng, Sheng – Jen (S.J.) Yang, Michael Du, Chun-Mei (Christina) Hsieh
5				
6				
7				
8	Jan. 22, 1999	Unknown	Bilateral meeting	Toshiba; CGW
9	Jan. 30, 1999	Unknown Bilateral	meeting	Panasonic; CGW
10	Feb. 2, 1999	China (Shenzhen)	China meeting	Philips; Samsung; LG; Orion; Irico; BMCC; CGW
11	Feb. 10, 1999	Unknown	Glass meeting	Samsung; Philips; Orion; LG; CGW
12	Feb. 16, 1999	Unknown	Glass meeting	Samsung; Philips; Orion; LG; CGW
13	Feb. 23, 1999	Taiwan Bilateral	meeting	Toshiba; CGW
14	March 1, 1999	Unknown Working-level	meeting	Samsung; Philips; LG; Orion; CGW
15	March 5, 1999	Malaysia	Glass meeting	Orion; Samsung; Philips; LG; CGW
16	March 6, 1999	Malaysia	Green meeting	Orion; Samsung; Philips; LG; CGW
17	March 7, 1999	Malaysia	Glass meeting	Samsung; LG; Orion; Thai CRT; CGW
18	March 11, 1999	Telephonic Bilateral	meeting	Samsung; CGW
19	March 15, 1999	Unknown Working-level	meeting	Samsung; LG; Orion; Philips; CGW
20	March 24, 1999	Taiwan Taipei	Bilateral meeting	Orion; CGW
21	April 2, 1999	China (Nanjing)	China meeting	Samsung; Philips; Orion; Irico; BMCC; CGW
22	April 9, 1999	Indonesia	Glass meeting	Samsung; LG; CGW
23	April 14, 1999	Unknown Top-level	meeting	<u>Samsung</u> : In Kim, D.Y. Kim, Mr. Lee Jae In
24				<u>LG</u> : Mr. K.S. Cho, Mr. C.S. Jeon, Mr. K.Y. Ko
25				<u>Orion</u> : Mr. H.C. Moon, Mr. K.H. Kang, Mr. S. Y. Byun, Mr. Jimmy
26				
27				
28				

1			Kim
2			<u>Philips</u> : Mr. David Chang, Mr. Jerry Lin
3			<u>CGW</u> : C.Y. Lin, C.C. Liu, Michael Du
4			
5	April 15, 1999	Korea Management meeting	Samsung; Orion; LG; CGW
6	April 28, 1999	Unknown Glass meeting	Samsung; LG; Orion; Philips; CGW
7	May 6, 1999	China (Xi'an) China meeting	Philips; Samsung; Orion; Irco; CGW
8	May 6, 1999	Unknown Bilateral meeting	Toshiba; CGW
9	May 7, 1999	China (Xi'an Xianying) Bilateral meeting	Irco; CGW
10	May 10, 1999	Korea Seoul Glass meeting	Samsung; LG; Orion; Thai CRT; CGW
11	May 12, 1999	Unknown Working-level meeting	Samsung; Philips; Orion; CGW
12	May 12, 1999	Unknown Working-level meeting	Samsung; Philips; Orion; LG; CGW
13	May 20, 1999	Unknown Top-level meeting	<u>Samsung</u> : Mr. Inn Kim, Michael Son, Mr. Ha
14			<u>Orion</u> : Mr. H.C. Moon, Mr. J.W. Moon, Mr. Karl Min, Mr. J.H. Moon
15			<u>LG</u> : Mr. S.Y. Choi, Mr. G.I. Choi, Mr. S.H. Jo, Mr. S.M. Ahn
16			<u>CGW</u> : C.Y. Lin, C.C. Liu, Michael Du, Christina Hsieh
17			
18	May 21, 1999	China Management meeting	Philips; Samsung; LG; Orion; CGW
19	May 24, 1999	Telephonic Bilateral meeting	Irco; CGW
20	June 1, 1999	Taiwan Management meeting	Orion; Samsung; LG; Thai CRT; CGW
21	June 4, 1999	China (Shenzhen) China meeting	Samsung; Philips; Orion; Irco; BMCC; CGW
22			
23	June 21, 1999	Unknown Glass meeting	Samsung; LG; Orion; Thai CRT; CGW
24	June 21, 1999	Unknown Glass	Samsung, LG, Orion, and Thai CRT; CGW
25	June 22, 1999	Unknown Glass	Orion, Irco; CGW
26	June 23, 1999	Korea Top	<u>Samsung</u> (Mr. Inn Kim, D.Y. Kim, Mr. J.I. Lee, Mr. Ha)
27			<u>Philips</u> (David Chang, Jerry Lin, Ms.
28			

1				Rosa Hsu)
2				<u>Orion</u> (Mr. H.C. Moon, Mr. K.H. Kang, Mr. J.H. Moon, Mr. Jimmy Kim), and LG (Mr. K.S. Cho, Mr. C.S. Jeon, Mr. J.M. Park, Mr. K.Y. Ko);
3				<u>CGW</u> (C.Y. Lin, Tony Cheng, Michael Du, Christina Hsieh)
4				
5				
6	June 28, 1999	Unknown	Bilateral	Matsushita; CGW
7	July 6, 1999	Taiwan Taipei	Bilateral LG;	CGW
8	July 7, 1999	Unknown	Bilateral	Samsung; CGW
9	July 9, 1999	China (Fuzhou)	China	Orion, Philips, and Irico; CGW
10	July 13, 1999	China (Tianjin)	Bilateral Sa	msung; CGW
11	July 20, 1999	Unknown	Bilateral Matsushita	
12	July 23, 1999	Taiwan	Top Level	<u>Samsung</u> (Mr. In Kim, Mr. D.Y. Kim, Mr. Lee Jae In, Mr. Ha)
13				<u>LG</u> (Mr. S.Y. Choi, Mr. C.S. Jeon, Mr. Johnny Song, Mr. K.Y. Ko)
14				<u>Orion</u> (Mr. H.C. Moon, Mr. J.H. Moon, Mr. K.H. Kang, Mr. D.W. Yoon)
15				<u>Philips</u> (Mr. David Chang, Mr. Jerry Lin, Mr. Rosa Hu)
16				<u>CGW</u> (C.Y. Lin, C.C. Liu, Tony Cheng, Michael Du)
17				
18				
19	July 28, 1999	Unknown	Glass	Samsung, LG, Orion, and Philips; CGW
20	July 28, 1999	Taiwan Taipei	Bilateral Toshiba;	CGW
21	July 29, 1999	Malaysia	Bilateral Matsushita	
22	Aug. 4, 1999	Unknown	Working	Samsung, Philips, Orion, and LG; CGW
23	Aug. 4, 1999	Malaysia	Bilateral	Samsung; CGW
24	Aug. 5, 1999	Unknown	Glass	Irico and Orion; CGW
25	Aug. 5, 1999	China (Nanjing)	China meetings	Samsung, BMCC, Orion, Irico, Philips; CGW
26	Aug. 5, 1999	China	China	Samsung, BMCC, Huafei, and Irico; CGW
27	Aug. 10, 1999	Unknown	Glass	Samsung, LG, Orion, and Philips; CGW
28				

1	Aug. 20, 1999	Korea	Green	Unknown; CGW
2	Aug. 20, 1999	Korea	Top	<u>Samsung</u> (Mr. In Kim, Mr. D.Y. Kim, Mr. Ha, Mr. Lee Jae In), LG (S.Y. Cho, Mr. C.S. Jeon, Mr. K.Y. Ko)
3				<u>Orion</u> (Mr. H.C. Moon, Mr. Han-Koo Cho, Mr. K.H. Kang, Mr. Kim)
4				<u>Philips</u> (Mr. David Chang, Mr. J.M. Smith, Mr. Jerry Lin, Mr. J.H. Pei);
5				<u>CGW</u> (C.Y. Lin, C.C. Liu, Michael Du)
6				
7	Aug. 22, 1999	Korea	Audits	LG, Samsung, Orion; CGW
8	Aug. 23, 1999	Unknown	Glass	Samsung, LG, Orion, and Thai CRT; CGW
9	Sept. 1, 1999	China (Shenzhen)	Bilateral Sa	msung; CGW
10	Sept. 2, 1999	China (Xian)	China	Samsung, Irigo, Orion, and Philips; CGW
11	Sept. 2, 1999	Taiwan	Management Level	Samsung, Philips, Orion, and LG; CGW
12	Sept. 7, 1999	Malaysia	Bilateral Matsushita;	CGW
13	Sept. 13, 1999	Malaysia	Management Level	Samsung, LG, Orion, Thai CRT; CGW
14	Sept. 14, 1999	Malaysia	Bilateral Matsushita;	CGW
15	Sept. 15, 1999	Taiwan	Bilateral Matsushita	Taiwan; CGW
16	Sept. 15, 1999	Taiwan	Bilateral	Toshiba; CGW
17	Sept. 20, 1999	Taiwan (Taoyuan)	Top Level	<u>Samsung</u> : Mr. In Kim, Mr. D.Y. Kim, Mr. Lee Jae In, Mr. Ha
18				<u>LG</u> : Mr. S.Y. Choi, Mr. C.S. Jeon, Mr. Lim, Mr. K.Y. Ko
19				<u>Orion</u> : Mr. Han – Koo Cho, Mr. Jimmy Kim, Mr. K.H. Kang, Mr. Moon
20				<u>Philips</u> : Mr. Jim Smith, Mr. Jerry Lin, Ms. Rosa Hu
21				<u>CGW</u> : C.Y. Lin, C.C. Liu, Tony Cheng, S.J. Yang, Michael Du
22	Sept. 21, 1999	Taiwan (Taoyuan)	Management	Samsung, LG, Orion, Philips; CGW
23	Sept. 28, 1999	Unknown	Glass	Samsung, Philips, Orion, LG; CGW
24	Sept. 29, 1999	Unknown	Bilateral	Toshiba; CGW

1	Oct. 1, 1999	Malaysia	Bilateral Matsushita;	CGW
2	Oct. 2, 1999	Unknown	Glass	Daewoo, Philips; CGW
3	Oct. 4, 1999	Taiwan, Taipei	Bilateral Samsung;	CGW
4	Oct. 5, 1999	Taiwan, Taipei	Bilateral LG;	CGW
5	Oct. 6, 1999	China	Bilateral	Samsung; CGW
6	Oct. 11, 1999	Unknown	Europe Glass Irico, Philips;	CGW
7	Oct. 12, 1999	China (Tianjin)	China	Irico, Samsung, BMCC, and Philips; CGW
8	Oct. 13, 1999	Taiwan	Top Level	<u>Samsung</u> : Mr. Lee
9				<u>Philips</u> : Mr. Jerry Lin, Ms. Limay Liu
10				<u>Orion</u> : Mr. Moon
11				<u>LG</u> : Mr. Lin, Mr. Charles Lu
12				<u>CGW</u> : C.Y. Lin, C.C. Liu, Michael Du, Christina Hseih
13	Oct. 20, 1999	Taiwan	Glass	Samsung, Philips, LG; CGW
14	Oct. 20, 1999	Unknown	Bilateral	Toshiba; CGW
15	Oct. 20, 1999	Taiwan	Bilateral	Sony; CGW
16	Oct. 20, 1999	Scotland, Glasgow	Europe glass	Philips, Daewoo; CGW
17	Oct. 27, 1999	Thailand	Glass Meeting	Samsung, Orion, and Thai CRT; CGW
18	Nov. 3, 1999	Unknown	Glass	Samsung, LG, and Philips; CGW
19	Nov. 5, 1999	China	China	Philips, Samsung, Orion; CGW
20	Nov. 5, 1999	Taiwan	Bilateral	Toshiba; CGW
21	Nov. 9, 1999	Korea, Seoul	Glass	Samsung, LG, and Orion; CGW
22	Nov. 9, 1999	Unknown	Glass	Samsung, LG, and Philips; CGW
23	Nov. 10, 1999	Taiwan	Bilateral	Matsushita; CGW
24	Nov. 11, 1999	Unknown	Europe Glass	Philips, Orion, Samsung, and LG; CGW
25	Nov. 12, 1999	Europe	Bilateral	Philips; CGW
26	Nov. 16, 1999	Unknown	Working	Samsung, LG, Orion, Philips; CGW
27	Nov. 25, 1999	Taiwan (Taoyuan)	Management Level	Samsung, Philips, Orion, Thai CRT; CGW
28	Nov. 26, 1999	Taiwan	Glass	LG, Orion, Samsung, Philips;

		(Taoyuan) CGW		
1	Nov. 26, 1999	Taiwan (Taoyuan)	Green	LG, Orion, Samsung, Philips; CGW
2	Nov. 30, 1999	Unknown	Glass	Samsung, LG, Philips, and Orion; CGW
3	Dec. 9, 1999	China (Suzhou)	China	Irico, BMCC, Samsung, and Philips; CGW
4	Dec 13, 1999	Unknown	Bilateral Matsushita;	CGW
5	Dec. 15, 1999	Unknown	Europe Glass	Philips and Irico; CGW
6	Dec. 22, 1999	Unknown	Working level	Samsung, Philips, Orion, LG; CGW
7	Dec. 31, 1999	Unknown	Bilateral	Toshiba; CGW
8	Jan. 12, 2000	Unknown	Glass	Samsung, LG, Philips, Orion; CGW
9	Jan. 13, 2000	China (Xian)	China	Samsung, Irico, Philips; CGW
10	Jan. 18, 2000	Unknown	Glass	Samsung, LG, Orion, Thai CRT; CGW
11	Jan. 24, 2000	Unknown	Top	<u>Samsung</u> : Mr. In Kim, Mr. D.Y. Kim, Mr. Ha, Mr. Lee Jae In
12				<u>LG</u> : Mr. S.Y. Choi, Mr. S.K. Lee, Mr. K. Y. Ko, Mr. Lim
13				<u>OEC (Orion)</u> : Mr. Han-Koo Cho, Mr. H.S. Lee, Mr. J.H. Moon, Mr. S.G. Oh
14				<u>Philips</u> : Mr. Jim Smith, Mr. Jerry Lin, Ms. Limay Liu
15				<u>CGW</u> : C.Y. Lin, C.C. Liu, Tony Cheng, Michael Du
16	Jan. 24, 2000	Unknown	Management	Samsung, LG, Orion, Thai CRT, Philips; CGW
17	Jan. 25-28, 2000	Unknown	Green	Unknown; CGW
18	Feb. 22, 2000	Taiwan	Bilateral	Hitachi; CGW
19	Feb. 24, 2000	Korea	Glass	Samsung, LG, Orion, and Philips; CGW
20	March 2, 2000	Tiawan	Bilateral	Toshiba; CGW
21	March 3, 2000	Taiwan	Bilateral	Samsung; CGW
22	March 6, 200	China (Shenzen)	China	Samsung, Irico, Philips; CGW
23	March 6, 2000	Indonesia	Bilateral	Toshiba; CGW
24	March 7-8, 2000	Unknown	Green	Samsung, LG, Orion, Thai CRT and Philips;

				CGW
1	March 10, 2000	Thailand	Bilateral	Toshiba; CGW
2	March 21, 2000	Taiwan	Bilateral	Toshiba; CGW
3	March 23, 2000	Taiwan	Bilateral Matsushita;	CGW
4	March 24, 2000	Korea Seoul	Glass	Samsung, LG, Orion, Thai CRT, Philips; CGW
5				
6	March 25, 2000	Korea Seol	Green	LG, Orion, Philips, and Samsung; CGW
7	March 25, 2000	Korea, Seoul	Management	LG, Orion, Philips, and Samsung; CGW
8	April 6, 2000	China (Xiamen)	China	Samsung, Irico, BMCC, LG, Philips, Orion; CGW
9	April 9-10, 2000	Various Audit		Samsung; CGW
10	April 11, 2000	Taiwan, Taipei	Bilateral Hitachi;	CGW
11	April 11, 2000	Taiwan, Taipei	Bilateral Sony;	CGW
12	April 14, 2000	Korea, Seoul	Management	Samsung, LG, Orion, Philips; CGW
13	May 2, 2000	Unknown	Bilateral	MEC; CGW
14	May 4, 2000	Taiwan	Bilateral	Toshiba; CGW
15	May 9, 2000	China, Nanjing	China	Samsung, Irico, BMCC, LG, Philips, Orion; CGW
16				
17	May 25, 2000	China Shanghai	Management	Samsung, LG, Orion, and Philips; CGW
18	May 26, 2000	Unknown	Glass	Samsung, LG, Orion, Philips; CGW
19	May 31, 2000	China	Bilateral	Haufei; CGW
20	June 6, 2000	China	Audit	Samsung; CGW
21	June 8, 2000	Taiwan, Taipei	Bilateral Matsushita;	CGW
22	June 9, 2000	China, Beijing	China	Irico, Samsung, BMCC, LG, Philips, Orion; CGW
23				
24	June 9, 2000	Taiwan	Bilateral	Toshiba; CGW
25	June 16, 2000	Taiwan Taipei	Bilateral Hitachi;	CGW
26	June 20, 2000	Malaysia	Glass	Samsung, LG, Orion, Philips; CGW
27	June 20, 2000	Malaysia	Green	Samsung, Orion, LG, Philips; CGW
28	June 20, 2000	Unknown	Glass	Samsung, LG, Orion, Philips, Thai

1				CRT; CGW
2	June 21, 2000	Malaysia	Bilateral	Matsushita MMEC; CGW
3	June 23, 25 2000	Europe Unknown		Philips, Irico; CGW
4	June 28, 2000	Unknown	Working	Samsung, LG, Orion, Philips; CGW
5	July 4, 2000	Unknown	Bilateral	Philips; CGW
6	July 6, 2000	Taiwan Taipei	Bilateral Toshiba;	CGW
7	July 10, 2000	China (Xian)	China	Orion, Samsung, Philips, Irico, and LG; CGW
8	July 13, 2000	Korea Seoul	Glass	Samsung, LG, Orion, Philips; CGW
9	July 18, 2000	Taiwan	Bilateral	Hitachi; CGW
10	August 2, 2000	Taiwan	Bilateral	Toshiba; CGW
11	Aug. 11, 2000	China Tianjin	China	Irco, Samsung, BMCC, LG, Philips, and Orion; CGW
12				
13	Aug. 22, 2000	Taiwan Taoyuan	Top Sa	<u>Samsung</u> : Mr. Inn Kim, Mr. S.K. Park, Mr. Michael Son, Mr. Ha
14				<u>LG</u> : Mr. S.Y. Choi, Mr. G.I. Choi, Mr. Johnny Son
15				<u>Orion</u> : Mr. H.K. Cho, Mr. Lee, Mr. Karl Min, Mr. Kang
16				<u>Philips</u> : Mr. Jim Smith, Mr. Jerry Lim, Ms. Rosa Hu
17				<u>CGW</u> : C.C. Liu, S.J. Yang, Michael Du
18				
19				
20	Sept. 13-20, 2000	United Kingdom (CPT UK) – Chunghwa's UK facility	Europe Glass	Philips, DOSA (Orion), Samsung; CGW
21				
22				
23	Sept. 14, 2000	China Changsha	China	Irco, Samsung, BMCC, LG, Philips, Orion; CGW
24	Sept. 21, 2000	Taiwan Taipei	Top Sa	<u>Samsung</u> : Mr. In Kim, Mr. D.Y. Kim, Mr. Lee Jae In, Mr. Ha
25				<u>LG</u> : S.Y. Choi, Mr. S.K. Lee, Mr. Lim, Mr. K.Y. Ko
26				<u>Orion</u> : Mr. Cho, Mr. J.H. Moon, Mr. Jimmy Kim, Mr. Kang
27				
28				

1			<u>Philips</u> : Mr. Jerry Lin
2			<u>CGW</u> : C.C. Liu, Tony Cheng, S.J. Yang, Michael Du
3	Sept. 21, 2000	Taiwan, Taipei	<u>msung</u> : Mr. In Kim, Mr. D.E. Lee, Mr. S.K. Park, Mr. Michael Son
4			<u>LG</u> : Mr. S.Y. Choi, Mr. K.J. Park, Mr. K.Y. Ko
5			<u>Orion</u> : Mr. Cho, Mr. Lee, Mr. Karl Min, Mr. Kang
6			<u>Philips</u> : Mr. Jim Smith, Mr. Jerry Lin, Ms. Rosa Hu
7			<u>CGW</u> : C.C. Liu, Tony Cheng, S.J. Yang, Michael Du
8			
9			
10	Sept. 27, 2000	Unknown	Working Samsung, LG, Orion, Philips; CGW
11	Sept. 28, 2000	Taiwan Taipei	Bilateral Toshiba; CGW
12	Oct. 12, 2000	China Fuzhou	China Irico, Samsung, LG, Orion, Philips; CGW
13	Oct. 25, 2000	Korea Seoul	Management Samsung, LG, Orion, Philips, Thai CRT; CGW
14			
15	Oct. 25, 2000	Korea Seoul	Management Samsung, LG, Orion, Philips; CGW
16	Oct. 26, 2000	Korea Seoul	Green Unknown; CGW
17	Nov. 3, 2000	Unknown	Bilateral Hitachi; CGW
18	Nov. 9, 2000	China Nanjing	China Irico, Samsung, LG, Orion, Philips, BMCC; CGW
19			
20	Dec. 7, 2000	China Xian	China Philips, Irico, Samsung, LG; CGW
21	Dec. 13, 2000	Unknown	Working Samsung, Philips, LG, Orion; CGW
22	Jan. 12, 2001	Unknown	Bilateral Toshiba; CGW
23	Jan. 31, 2001	Unknown	Europe Glass Philips, Orion; CGW
24	Feb. 15, 2001	China	Bilateral Irico; CGW
25	Feb. 22, 2001	China	China Samsung, LG, Philips, BMCC, Irico; CGW
26	March 5, 2001	Taiwan	Bilateral Toshiba; CGW
27	March 19, 2001	Unknown	Glass Samsung, LG, Orion, Philips; CGW
28	March 20, 2001	Unknown	Management Samsung, LG, Orion, Philips;

				CGW
1	March 28, 2001	Unknown	Glass	Samsung, Philips, LG, and Orion; CGW
2	April 3, 2001	China Shenzhin	Audit Sa	msung; CGW
3	April 11, 2001	China	Bilateral	Samsung; CGW
4	April 12, 2001	Taiwan	Glass	Samsung, Philips, LG, Orion; CGW
5	April 18-19, 2001	China Shanghai	Management	Samsung, LG, Orion, Philips, Thai CRT; CGW
6	April 18, 2001	China Shanghai	Management	Samsung, LG, Orion, Philips; CGW
7	April 20, 2001	China Shanghai	Green Unknown;	CGW
8	April 20, 2001	Unknown	Bilateral	Toshiba; CGW
9	April 27, 20001	China	Bilateral	Samsung; CGW
10	April 27, 20001	China	Bilateral	Samsung; CGW
11	May 17, 2001	China Fuzhou	China	Philips, Samsung, LG; CGW
12	May 21, 2001	China	Bilateral	Samsung; CGW
13	May 31, 2001	Unknown	Bilateral	Thomson; CGW
14	June 6, 2001	China	Bilateral	Matsushita; CGW
15	June 7, 2001	China	Bilateral	Samsung; CGW
16	June 12, 2001	China	Bilateral	BMCC; CGW
17	June 19, 2001	Malaysia	Bilateral	Samsung; CGW
18	June 26, 2001	Unknown	Glass	Samsung, LG, Orion; CGW
19	June 27, 2001	Unknown	Glass	Samsung, LG, Orion; CGW
20	July 1, 2001	Unknown	Unknown	Philips, LG, Samsung, Orion; CGW
21	July 17, 2001	Unknown	Working	Samsung, LPD; CGW
22	July 24, 2001	Taiwan Taipei	Glass	Samsung, LG, Orion; CGW
23	July 24, 2001	Taiwan Taipei	Glass	Samsung, LG, Orion, Thai CRT; CGW
24	July 26, 2001	China	China	Samsung, LG Philips; CGW
25	July 26, 2001	Taiwan	Bilateral	Toshiba; CGW
26	Aug. 2, 2001	Taiwan	Bilateral	Mitsubishi Electronics; CGW
27	Aug. 13, 2001	Unknown	Management	Samsung, LPD, Orion; CGW
28				

1	Aug. 21, 2001	Korea Seoul	Glass	Samsung, LG, Orion, Thai CRT; CGW
2	Spet. 26, 2001	China	China	Samsung, LG Philips; CGW
3	Sept. 28, 2001	Unknown	Green	Unknown; CGW
4	Oct. 23, 2001	Unknown	Top	<u>Samsung</u> : Director Kim In, Kim Doek-Yoen, Park Sang-Kyu
5				<u>LPD</u> : Director Joe, Lee Seung-Kyu
6				<u>CGW</u> : C.Y. Lin, Tony Cheng
7	Nov. 20, 2001	Unknown	Glass	Samsung, LPD, Orion; CGW
8	Nov. 23, 2001	China (Fuzhou)	China	Samsung, LG, and Philips; CGW
9	Dec. 17, 2001	Unknown	Management	Samsung, LPD, Orion; CGW
10	Dec. 21, 2001	Unknown	Glass	Samsung, LG, Orion; CGW
11	Dec. 28, 2001	Unknown	Top	<u>Samsung</u> : Mr. D.Y. Kim, Mr. Park
12				<u>LPD</u> : Mr. K.S. Cho, Mr. S.Y. Choi, Mr. S.K. Lee
13				<u>CGW</u> : C.Y. Lin, C.C. Liu, Ling-Yun (Edward) Cheng
14	Jan. 4, 2002	Unknown	Glass	Samsung, LPD, and OEC; CGW
15	Jan. 11, 2002	Taiwan	Glass	Samsung, Orion, and LPD; CGW
16	Jan. 18, 2002	Unknown	Glass	Samsung, LPD, Orion; CGW
17	Jan. 18, 2002	Unknown	Glass	Samsung, LPD, Orion; CGW
18	Jan. 23, 2002	Taiwan	Glass	Samsung, Orion, LPD; CGW
19	Jan. 30, 2002	Taiwan	Bilateral	LPD; CGW
20	Feb. 22, 2002	Taiwan, Taoyuan	Glass	Samsung, LPD, and Orion; CGW
21	Feb. 22, 2002	Unknown	Working	Samsung, LPD, Orion; CGW
22	March 5, 2002	Unknown	Glass	Samsung, LPD; CGW
23	March 6, 2002	Scotland Glasgow	Europe glass	Unknown; CGW
24	March 20, 2002	Unknown	Glass	Samsung, Orion, LPD; CGW
25	March 20, 2002	Unknown	Glass	Samsung, LPD, Orion; CGW
26	April 22, 2002	Thailand	Glass	Samsung, Orion, LPD; CGW
27	May 28, 2002	Unknown	Glass	Samsung, LPD, Orion;
28				

				CGW
1	June 21, 2002	Unknown	Glass	LPD and DOSA (Orion); CGW
2	Sept. 13, 2002	Unknown	Glass	Thai CRT, Toshiba, LPD, Samsung; CGW
3				
4	Oct. 17, 2002	Malaysia	Glass	Thai CRT, Toshiba, LPD, Samsung, Orion; CGW
5				
6	Dec. 12, 2002	Unknown	Glass	Samsung, LPD; CGW
7	Dec. 17, 2002	Singapore	Glass	Thai CRT, Toshiba, LPD, Samsung; CGW
8	Jan. 2003 (no exact date known)	Unknown Glass		LPD, Samsung; CGW
9	Jan. 1, 2003	Unknown	Working	Samsung, LPD; CGW
10	Feb. 2003 (approx.)	Unknown Glass		LPD, Samsung; CGW
11	Feb. 14, 2003	China	Bilateral	Irico; CGW
12	Feb. 21, 2003	Singapore	Glass	Thai CRT, Toshiba , LPD ; CGW
13	Feb. 26-28, 2003	Unknown Bilateral	(meeting on each date)	Matsushita, Thai CRT, Toshiba CGW
14				
15	March 20, 2003	Unknown	Glass	Unknown; CGW
16	March 21, 2003	Unknown	Unknown	Samsung, LPD; CGW
17	March 27, 2003	China (Shenzhen)	Marketing Sa	msung, LPD; CGW
18	April 22, 2003	Unknown	Glass	Unknown; CGW
19	April 22, 2003	Unknown	Glass	Unknown; CGW
20	April 29, 2003	China (Xiamen)	Unknown	Samsung , LPD; CGW
21	April 30, 2003	Unknown	Glass	Samsung, LPD; CGW
22	May 2003 (approx.)	Unknown Glass		LPD, Samsung; CGW
23	May 8, 2003	By telephone	Bilateral	Samsung; CGW
24	May 22, 2003	Singapore	Glass	MTPD, Samsung, LPD, Thai CRT; CGW
25	May 30, 2003	Unknown	Unknown	Samsung, LPD; CGW
26	June 2003 (approx.)	Unknown Glass		Samsung, LPD; CGW
27	June 2, 2003	Unknown	Glass	LPD, Samsung; CGW

1	June 17, 2003	Malaysia	Top	<u>LPD</u> : C.S.O. Mr. Kim, Mr. Yang
2				<u>Samsung</u> : E.V.P. Mr. Kim, Mr. Kim,
3				<u>CGW</u> : Unknown
4	June 17, 2003	Malaysia	Green	LPD, Samsung; CGW
5	June 18, 2003	Malaysia	Green	Samsung, LPD; CGW
6	July 4, 2003	Unknown	Glass	Samsung, LPD; CGW
7	July 21, 2003	Unknown	Working	Samsung, LPD; CGW
8	July 29, 2003	Unknown	Glass	LPD, Samsung; CGW
9	Aug. 4, 2003	Unknown	Bilateral	Thai CRT; CGW
10	Aug. 20, 2003	China	Bilateral	Irico; CGW
11	Aug. 28, 2003	Unknown	Unknown	Samsung, LPD; CGW
12	Sept. 2003 (approx.)	Unknown Glass		LPD, Samsung; CGW
13	Sept. 2003 (approx.)	Unknown Glass		Samsung, LPD; CGW
14	Sept. 2003 (approx.)	Unknown Glass		LPD, Samsung; CGW
15	Sept. 5, 2003	Unknown	Glass	MTPD, Samsung, LPD, Thai CRT; CGW
16	Sept. 24, 2003	Unknown	Working	Samsung, LPD; CGW
17	Oct. 28, 2003	Unknown	Management	Samsung, LPD; CGW
18	Oct. 28, 2003	Unknown	Green	Samsung, LPD; CGW
19	Oct. 29, 2003	Unknown	Glass	LPD, Samsung; CGW
20	Nov. 7, 2003	Malaysia	Glass	MTPD, Samsung, LPD, and Thai CRT; CGW
21	Nov. 12, 2003	Unknown	Glass	MTPD, Samsung, LPD, and Thai CRT; CGW
22	Nov. 12, 2003	Taiwan	Management	Samsung, LPD; CGW
23	Nov. 26, 2003	Korea	Top	Samsung, LPD; CGW
24				
25	Nov. 26, 2003	Korea	Green	Samsung, LPD; CGW
26	Nov. 27, 2003	Korea, (Jesu Island)	Green LPD,	Samsung; CGW
27	Dec. 2, 2003	Unknown	Glass	Samsung, LPD;
28				

			CGW
1	Dec. 18, 2003	Singapore	Bilateral Samsung (M); CGW
2	Dec. 23, 2003	China (Shenzhen)	Management Samsung, LPD; CGW
3	Dec. 31, 2003	China (Shenzhen)	Bilateral Irico; CGW
4	Jan. 27, 2004	China (Xiaman)	Management LPD, Samsung; CGW
5	Feb. 16-17, 2004	Unknown	Glass MTPD, Samsung, LPD, Thai CRT; CGW
6	March 1, 2004	Unknown	Bilateral Novel; CGW
7	March 3, 2004	China (Shenzhen)	Bilateral Orion; CGW
8	March 3, 2004	Unknown	Green Unknown; CGW
9	March 4, 2004	Taiwan, Taipei	Management LPD, Samsung; CGW
10	March 16, 2004	Singapore	Glass MTPD, Samsung, LPD, and Thai CRT; CGW
11			
12	March 25-27, 2004	Korea Glass	LPD, Samsung; CGW
13	April 23, 2004	Thailand	Glass MTPD, Samsung, LPD, Thai CRT; CGW
14	April 26, 2004	China Shanghai	Top Sa Samsung, LPD; CGW
15	April 27, 2004	China Shanghai	Green Sa Samsung, LPD; CGW
16	May 10, 2004	Unknown	Glass Samsung, LPD; CGW
17	May 18, 2004	Malaysia	Glass MTPD, Samsung, LPD, and Thai CRT; CGW
18			
19	May 26, 2004	Unknown	Management LPD, Samsung; CGW
20	June 2, 2004	Unknown	Glass Samsung, LPD; CGW
21	June 18, 2004	Thailand	Glass MTPD, Samsung, LPD, Thai CRT; CGW
22	June 28, 2004	Unknown	Management Samsung, LPD; CGW
23	June 29, 2004	Unknown	Green Samsung, LPD; CGW
24	June 30, 2004	Unknown	Glass LPD, Samsung; CGW
25	July 13, 2004 – approx	Unknown Bilateral	Thomson; CGW
26	July 22, 2004	Singapore	Glass MTPD, Samsung, LPD, Thai CRT; CGW
27	July 26, 2004	China Shanghai	Management Sa Samsung, LPD; CGW
28	July 26, 2004	China	Management LPD, Samsung;

		Shanghai CGW		
1	July 27, 2004	China Shanghai	Green Sa	msung, LPD; CGW
2	Aug. 17-18, 2004	Japan Glass		Samsung, LPD; CGW
3	Aug. 17, 2004	China Kunming	Top Sa	msung, LPD; CGW
4				
5	Aug. 18, 2004	China Kunming	Green Sa	msung, LPD; CGW
6	Sept. 17, 2004	Taiwan	Glass	MTPD, Samsung, LPD, and Thai CRT; CGW
7				
8	Sept. 20, 2004	Korea	Management	LPD, Samsung; CGW
9	Sept 20-21, 2004	Korea Green		Unknown; CGW
10	Oct. 26, 2004	Unknown	Working	Samsung, LG Philips (LPD); CGW
11	Nov. 2004 (approx.)	Unknown Glass		Samsung, LPD; CGW
12	Nov. 2, 2004	China	Bilateral	Samsung; CGW
13	Nov. 5, 2004	Malaysia	Glass	MTPD, Samsung, LPD, Thai CRT; CGW
14	Nov. 15, 2004	Unknown	Marketing	LPD, Samsung; CGW
15	Nov. 24, 2004	Unknown	Unknown	Samsung; CGW
16	Nov. 29, 2004	Korea	Glass	Samsung, LPD; CGW
17	Dec. 1, 2004	China Shenzhen	Bilateral Irico	; CGW
18	Dec. 28, 2004	Malaysia	Glass	MTPD, Samsung, LPD, Thai CRT; CGW
19	Dec. 29, 2004	Unknown	Unknown	Samsung, LPD; CGW
20	Jan. 19, 2005	Taiwan Taipei	Management Sa	msung, LPD; CGW
21	Feb. 24, 2005	Taiwan	Management	LPD, Samsung; CGW
22	Feb. 24, 2005	Malaysia	Green	Unknown; CGW
23	Feb. 25, 2005	Malaysia	Glass	MTPD, Samsung, LPD, and Thai CRT; CGW
24				
25	March 29, 2005	Unknown	Management	LPD, Samsung; CGW
26	March 30, 2005	Unknown	Green	Unknown; CGW
27	April 11, 2005	China	Bilateral	Kitamatsu; CGW
28	April 13, 2005	China	Unknown	Samsung, LPD;

				CGW
1	April 20, 2005	China	Bilateral	Irico; CGW
2	April 26, 2005	Korea Seoul	Glass	Samsung, LPD; CGW
3	April 26, 2005	Unknown	Management	LPD, Samsung; CGW
4	April 26, 2005	Korea	Green	Unknown; CGW
5	April 29, 2005	Indonesia	Glass	MTPD, Samsung, LPD, Thai CRT; CGW
6	May 19, 2005	Thailand	Bilateral	Thai CRT; CGW
7	May 24, 2005	Taiwan Taipei	Management LPD	Samsung; CGW
8	May 24, 2005	Taiwan Taipei	Unknown Sa	msung, LPD; CGW
9	June 9, 2005	Malaysia	Glass	MTPD, Samsung, LPD, Thai CRT; CGW
10	June 28, 2005	Unknown	Management	LPD, Samsung; CGW
11	Aug. 26, 2005	Taiwan (Linkou)	Bilateral Sa	msung; CGW
12	Sept. 22, 2005	Indonesia, Jakarta	Glass	MTPD, Samsung, LPD, Thai CRT; CGW
13	Sept. 28, 2005	Taiwan Taoyuan	Management Sa	msung, LPD; CGW
14	Sept. 28, 2005	Taiwan Taoyuan	Green	Samsung and LPD; CGW
15	Oct. 21, 2005	Taiwan	Glass	MTPD, Samsung SDI, LPD and Thai CRT; CGW
16	Nov. 2, 2005	Taiwan	Glass	Samsung, LPD; CGW
17	Nov. 18, 2005	China	Bilateral	Samsung; CGW
18	Nov. 21, 2005	Unknown	Glass	Samsung, LPD; CGW
19	Dec. 6, 2005	Malaysia	Glass	MTPD, Samsung, LPD, and Thai CRT; CGW
20	Dec. 20, 2005	Taiwan (Taoyuan)	Management LPD	Samsung; CGW
21	Dec. 21, 2005	Taiwan (Taoyuan)	Green	Samsung , LPD; CGW
22	Feb. 10, 2006	Thailand	Bilateral	Thai CRT; CGW
23	March 09, 2006	Unknown	Glass	MTPD, Samsung, LPD, and Thai CRT; CGW
24	March 14, 2006	Korea Seoul	Glass	Samsung, LPD; CGW
25	April 24, 2006	Indonesia	Glass	MTPD (M), Samsung (M); CGW
26				

1	May 25, 2006	Malaysia	Bilateral	Samtel; CGW
2	Sept. 5, 2006	Malaysia	Glass	MTPD, Samsung, LPD, Thai CRT; CGW
3	Oct. 12, 2006	Malaysia	Bilateral	Samtel; CGW
4	Nov. 9, 2006	Thailand	Glass	MTPD, Samsung, LPD, and Thai CRT; CGW
5	Nov. 12, 2006	Unknown	Glass	Unknown; CGW
6	Nov. 21, 2006	China Shanghai	China Eight Maker Meeting	BMCC, Irico (Xianyang), SEG Hitachi, Changsha Shuguang, LPD, Nanjing Huafei, Nobel, Samsung, Thomson, Xin Jun; CGW
7				
8				
9	Jan. 23, 2007	China (Shannxi Xi'an)	China Eight Maker Meeting	Irico (Xianyang), Samsung, SEG Hitachi, Changsha LG, Nanjin Huafei, Thomson, BMCC; CGW
10				
11	Feb. 2, 2007	Thailand	Glass	MTPD, Samsung, LPD; CGW
12	Feb. 8, 2007	Thailand	Green	Unknown; CGW
13	March 15-16, 2007	China (Fujian)	China Eight Maker	Samsung, BMCC, LPD, Hitachi, Irico; CGW
14				

C. Examples Of Meeting Discussions Relating To CPTs, CDTs and CRT Products.

1. CPTs.

During the oral proffer, Chunghwa offered some specific examples of agreements among Defendants with respect to CPTs. These include the following.

The agenda for a September 8, 1998 Management Meeting attended by Samsung, LG, Orion, Thai CRT, and CGW contains the following items:

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

1 In a **May 18, 2004 meeting** (attended by representatives of MTPD, Samsung, LPD, and
 2 Thai CRT), [REDACTED]

3 [REDACTED]

4 [REDACTED]
 5 [REDACTED]
 6 [REDACTED]
 7 [REDACTED]

8	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
9	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
10	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

11

12 [REDACTED]
 13 [REDACTED]
 14 [REDACTED]
 15 [REDACTED]
 16 [REDACTED]
 17 [REDACTED]
 18 [REDACTED]
 19 [REDACTED]
 20 [REDACTED]
 21 [REDACTED]

22 **2. CDTs.**

23 During the oral proffer, Chunghwa offered some specific examples as to agreements
 24 among Defendants with respect to CDTs. These include the following.

25

26

27 ⁴ The “Orion” referred to in the chart below is a Japanese buyer of CPTs, not the Defendant named
 28 in this case.

1 **At a bilateral meeting between Samsung and Chunghwa on November 26, 1996,** [REDACTED]
2 [REDACTED]
3 [REDACTED]
4 [REDACTED]
5 [REDACTED]
6 [REDACTED]
7 [REDACTED]
8 [REDACTED]

9
10 [REDACTED]
11 [REDACTED]
12 [REDACTED]

13 [REDACTED]
14 [REDACTED]

15 [REDACTED]
16 [REDACTED]
17 [REDACTED]
18 [REDACTED]

19 [REDACTED]
20 [REDACTED]

21 [REDACTED]
22 [REDACTED]

23 **A report on a January 28, 1997 Top Meeting** indicates that the attendees from Samsung,
24 Philips, Orion, and Chunghwa [REDACTED]

25 [REDACTED]

26 [REDACTED]
27
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

[REDACTED]

[REDACTED]

[REDACTED]

At a February 25, 1997 meeting attended by top level employees of Samsung, LG, Chunghwa, and Philips, [REDACTED]

A report on a March 26, 1997 Working Level Meeting among Samsung, Philips, and Chunghwa [REDACTED]

[REDACTED]

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

[REDACTED]

[REDACTED]

A June 23, 1999 Top Meeting report quoted a Philips representative as follows:

various makers have coordinated very well on 17 inch capacity control in the past

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Similarly, a May 26, 2000 report of a Management Meeting attended by Samsung, LG, Orion, Philips, and Chunghwa states:

[REDACTED]

And a March 19, 2001 report of a Management Meeting attended by same five companies states:

1 [REDACTED]
2 [REDACTED]
3 [REDACTED]
4
5 Participants at CDT meetings organized a process to audit compliance with the agreed upon output
6 restrictions. The audit process included visits to factories to ensure compliance with agreed upon
7 shutdowns.

8 [REDACTED]
9 [REDACTED] A report of a December 29, 2004 Management
10 Meeting states:

11 [REDACTED]
12 [REDACTED]
13 [REDACTED]
14
15 **3. Products Containing CDTs and CPTs.**

16 With respect to products containing CDTs and CPTs, the DPPs learned various types of
17 information from the Chunghwa proffer that caused them to believe that the alleged conspiracy
18 encompassed products containing CDTs and CPTs manufactured and sold by Defendants,
19 including televisions and computer monitors.

20 *First*, the conspirators fixed the prices on CPTs and CDTs to be applied “internally” within
21 the vertically integrated Defendants that manufactured televisions or computer monitors. Such
22 “internal” transactions accounted for many of CPTs and CDTs produced by the tube divisions or
23 subsidiaries of the vertically integrated Defendants.

24 During the Chunghwa proffer, documents demonstrating this aspect of the conspiracy were
25 read to DPPs. For example, a report of a January 4, 2002 CDT meeting report for a CDT meeting
26 attended by Samsung, LPD, Orion and Chunghwa [REDACTED]
27 [REDACTED]
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

[REDACTED]

[REDACTED]

Second, quotations from documents that were read to the DPPs’ counsel during Chunghwa’s proffer led them to believe in good faith that the unitary conspiracy alleged in the DP-CAC encompassed prices for Defendants’ televisions and computer monitors. Some examples follow.

A report of a May 29, 1995 bilateral meeting between Chunghwa and LG (also known as “Goldstar”) states:

[REDACTED]

1 An **October 24, 1996 report** of a bilateral meeting between Chunghwa and LG [REDACTED]

2 [REDACTED]

3 [REDACTED]

4 [REDACTED]

5 [REDACTED]

6 [REDACTED]

7 [REDACTED]

8 [REDACTED]

9 [REDACTED]

10

11 A **March 19, 1997 Report** of a Management Meeting among Samsung, Philips, Orion,

12 LG, and Chunghwa states:

13

14 [REDACTED]

15 [REDACTED]

16 [REDACTED]

17 [REDACTED]

18 An **April 13, 1999 Report of a Top Meeting** among Samsung, LG, Orion, Philips, and

19 Chunghwa contains the following report from Samsung:

20 [REDACTED]

21 [REDACTED]

22 [REDACTED]

23 [REDACTED]

24 [REDACTED]

25 [REDACTED]

26 [REDACTED]

27 [REDACTED]

28 [REDACTED]

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

[REDACTED]

A June 23, 1999 Top Meeting report [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

A report of a June 28, 2000 Working Level Meeting attended by Samsung, LG, Orion,
Philips, and Chunghwa [REDACTED]

[REDACTED]

A September 21, 2000 Report of a Top Meeting among Samsung, LG, Orion, Philips,
and Chunghwa [REDACTED]

[REDACTED]

[REDACTED]

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

[REDACTED]

[REDACTED]

A report of a February 22, 2002 Management Meeting involving a meeting among Samsung, LPD, Orion, and Chunghwa notes:

[REDACTED]

A report of a March 25-27, 2004 Management Meeting among Samsung, LPD, and Chunghwa states:

[REDACTED]

An internal **Chunghwa memorandum dated July 2, 2004,** [REDACTED]
[REDACTED]

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

4. Discussions of Secrecy

Across all three product groups, the Defendants were concerned about maintaining the secrecy of their conspiracy. A few representative examples read to DPPs' counsel during the Chunghwa proffer include the following.

A report of a May 23, 2003 Management Meeting states:

[REDACTED]

An August 17, 2004 meeting agenda contains the following subheadings:

[REDACTED]

III. INFORMATION OBTAINED FROM OTHER SOURCES.

A. Vertical Integration Of Certain Defendants.

Prior to the filing of the DP-CAC, the DPPs also examined whether market conditions supported the existence of a price-fixing conspiracy. The following facts supported the existence of a cartel in the United States relating to CRTs and finished products containing CRTs:

- the existence of a highly concentrated industry (*see* DP-CAC ¶112),
- the history of consolidation and joint ventures within the industry (*see id.* ¶¶113-21)
- significant barriers to entry with no competitive fringe,
- a standardized product with competition primarily on the basis of price,

- 1 ■ declining demand (*see id.* ¶¶105-09),
- 2 ■ a record of antitrust inquiry, as discussed in further detail below,
- 3 ■ the fact that a CRT is the major and most expensive part of a display, as discussed in further
- 4 detail below,
- 5 ■ vertical integration of many of the manufacturers of both CRTs and products containing
- 6 CRTs, as discussed in further detail below, and
- 7 ■ upward movement in, or stabilization of, prices for CRTs and products containing CRTs,
- 8 despite declining demand (*see id.* ¶¶105-09),

9 In addition to the documents or websites discussed below, sources for this examination

10 included: (a) DisplaySearch’s “Quarterly Global TV Shipment & Forecast Reports” (*see*

11 [http://www.displaysearch.com/cps/rde/xchg/displaysearch/hs.xsl/quarterly_global_tv_shipment_a](http://www.displaysearch.com/cps/rde/xchg/displaysearch/hs.xsl/quarterly_global_tv_shipment_and_forecast_report.asp)

12 [nd_forecast_report.asp](http://www.displaysearch.com/cps/rde/xchg/displaysearch/hs.xsl/quarterly_global_tv_shipment_and_forecast_report.asp)); (b) an article in *EE Times* ([http://www.eetimes.com/electronics-](http://www.eetimes.com/electronics-products/other/4084718/Analysts-LCDs-to-finally-dethrone-CRTs)

13 [products/other/4084718/Analysts-LCDs-to-finally-dethrone-CRTs](http://www.eetimes.com/electronics-products/other/4084718/Analysts-LCDs-to-finally-dethrone-CRTs)); (c) the Freedonia Group’s

14 “Flat Panel & CRT Display Materials: World Markets to 2008” (*see*

15 <http://www.freedoniagroup.com/Flat-Panel-And-Crt-Display-Materials--World-Markets.html>); (d)

16 various articles or reports on individual companies from sources such as their respective websites,

17 *BusinessWeek* online, and Institutional Shareholder Services; (e) the European Display Industry

18 Association’s 2005 report on the CRT market ([http://www.eeca.eu/data/File/EDIA/05%20EDIA-](http://www.eeca.eu/data/File/EDIA/05%20EDIA-Market-Development-2005.pdf)

19 [Market-Development-2005.pdf](http://www.eeca.eu/data/File/EDIA/05%20EDIA-Market-Development-2005.pdf)); (e) the Environmental Protection Agency’s September 1995

20 “Profile of the Electronics & Computer Industry”

21 ([http://www.epa.gov/compliance/resources/publications/assistance/sectors/notebooks/elecmpsn.pd](http://www.epa.gov/compliance/resources/publications/assistance/sectors/notebooks/elecmpsn.pdf)

22 [f](http://www.epa.gov/compliance/resources/publications/assistance/sectors/notebooks/elecmpsn.pdf)); and (f) the State of Oregon’s Department of Environmental Quality’s product profile on CRT

23 televisions (<http://www.deq.state.or.us/lq/pubs/docs/sw/ProductProfileTVs.pdf>). Certain

24 Defendants named in the DP-CAC, particularly Hitachi, LG, Panasonic (formerly Matsushita),

25 Philips, Samsung, Tatung/Chunghwa and Toshiba entities, were part of vertically-integrated

26 operations that manufactured CRTs for use in each entity group’s televisions or computer

27 monitors that were then sold in the United States. This fact is significant for defining the scope of

28

the alleged conspiracy. These companies fixed the prices of CPTs and CDTs and had an interest in ensuring that their finished products in which these tubes were incorporated would not be sold at price levels that would undercut the conspiracy with respect to CDTs and CPTs.⁵ As noted above, the defendants monitored finished product prices for this purpose. Thus, of necessity, the vertically integrated entities had to ensure that their CRT finished products would be sold at price ranges consistent with the goals of the alleged conspiracy; it would not be economically plausible for them to do otherwise. At each of these vertically integrated companies, the entire corporate enterprise was managed in a centralized “top-down” manner that ensured the conspiracy would function as to both CDTs and CPTs and the finished products of each company that contained them. What follows is a recitation of the publicly-available information from each of the aforementioned entity groups that supported this view of the vertically integrated nature of them.

1. Samsung Entities.

Publicly available sources that existed prior to March of 2009 emphasized the highly vertically integrated operation of Samsung’s subsidiaries and affiliated companies. One scholarly article published in 1997 noted that:

But even as they try to exploit local markets, Samsung's Asian affiliates are part of a global production network, supplying a considerable number of components to Samsung affiliates in Europe and America. Examples include: SEM [Samsung Electro-Mechanics Co.] -Thailand which has supplied parts to SEC in Europe, Brazil and Korea; SED [Samsung Electron Devices Co.] has exported 14-inch CRTs to Mexico; SEC-Indonesia has assembled PCBs for a Portugal based VCR plant; and SED-Malaysia has been supplying electron-guns for CRTs to SED-Germany, and SED-Mexico.

⁵ The DPPs reasonably relied on *Royal Printing Company v. Kimberly-Clark Corp.*, 621 F.2d 323 (9th Cir.1980) (“*Royal Printing*”), in which the Ninth Circuit held that “*Illinois Brick* [Co. v. *Illinois*, 431 U.S. 270 (1977) (“*Illinois Brick*”)] does not bar an indirect purchaser's suit where the direct purchaser is a division or subsidiary of a co-conspirator.” 621 F.2d at 326. The Ninth Circuit explained that *Illinois Brick*'s rationale of preventing potentially duplicative recoveries from both direct and indirect purchasers does not apply where the direct purchaser is an affiliate of the corporation accused of an antitrust violation. *Id.* See *In re TFT-LCD Antitrust Litig.*, No. M 07-1827 SI, 2009 WL 533130 at *1 (N.D. Cal. March 3, 2009) (“TFT-LCD Tatung Opinion”) (so interpreting *Royal Printing* and denying motion by Tatung Corporation, the parent of Chunghwa, to dismiss the direct purchasers’ amended complaint).

1 Youngsoo Kim, "Technological Capabilities And Samsung Electronics' International Production
 2 Network In Asia" (Nov. 1997) (available at <http://brie.berkeley.edu/publications/WP106.pdf>) at
 3 31.

4 Similarly, in a 2006 scholarly article, it was noted that:

5
 6 For the vertical integration and promotion of R&D capability, Samsung relied on
 7 foreign companies, mostly Japanese companies. Within a year period from the
 8 establishment of the SEC, Samsung established two companies to produce
 9 electronic parts, namely the Samsung-Sanyo (December 1969; later merged with
 10 the SEC) and Samsung-NEC (January 1970; later to be the Samsung SDI). In
 11 1973, Samsung established two more affiliates, namely Samsung-Sanyo Parts
 12 (later to be Samsung Electro-Mechanics: SEM) and Samsung Corning. With this,
 13 within 4 year period, a system of vertical integration in electronics industry was
 14 formed with all in one location of Suwon city which is still the main hub of
 15 Samsung's electronics business. Division of labor among them is such that the
 16 SEC (with acquisition of the Samsung Sanyo) play the role of the final assembler
 17 and three others supplying key parts and components to the SEC, with Samsung
 18 SDI (Vacuum Tubes, Black & White CRTs and later color CRTs to SEC) and the
 19 SEM (all kinds of electronic parts, such as deflection yokes, transformers and
 20 condensers) at the middle and finally Samsung Corning at the bottom (glass bulbs
 21 for CRTs).

22 Related to the development of R&D capability is to be noted the fact that in all of
 23 these new affiliates, Samsung had at least half of the equity ownership and
 24 gradually bought out the foreign equity shares. Thus, apart from the first three
 25 years of the venture with Corning, all ventures were under Samsung's
 26 management control (SC, 1994).

27 Keun Lee & Xiyong Hee, "Capability of the Samsung Group in Project Execution and Vertical
 28 Integration: Creating in Korea And Replicating In China" (Nov. 2006) (available at
<http://eab.rutgers.edu/samsung-bg-6.pdf>) at 13.

The DPPs made a similar point in their opposition to Defendants' motions to dismiss:

Samsung SDI is part of what Samsung itself calls the "Samsung Group."
http://www.samsung.com/hk_en/aboutsamsung/samsunggroup/affiliatedcompanies/SAMUNGGroup_AffiliatedCompanies.html. The companies within this group
 are closely interrelated and operate interactively. Indeed, Samsung's own website
 goes on to state:

SAMSUNG electronics subsidiaries include SAMSUNG Electronics, SAMSUNG
 Electro-Mechanics, SAMSUNG SDI, SAMSUNG Corning, SAMSUNG SDS,
 SAMSUNG Networks and SAMSUNG Corning Precision Glass. These affiliates
 produce, market, and sell a wide variety of electronic parts and components such
 as next generation memory chips, computer and telecommunications equipment,
 color TV picture tubes, and glass bulbs. They also develop computer systems and
 produce general electronics and precision machines.

1 All these companies share the same goal of becoming world-class, high-tech
 2 companies at the beginning of the 21st century and are concentrating their
 3 investments into promising future fields to achieve that target. Despite being
 4 independent, systematic cooperation takes place between the companies that
 5 enable the development of state-of-the-art electronic products.
 6 http://www.samsung.com/hk_en/aboutsamsung/samsunggroup/affiliatedcompanies/SAMUNGGroup_ElectronicIndustries.html.

7 This was equally true in earlier years. As one scholar has noted in a 2003 publication:

8 “Samsung Electronics is closely interlinked with Samsung SDI, a manufacturer of
 9 television tubes, which in turn relies on Samsung Corning, which produces glass
 10 bulbs for the tubes, as indicated by the fact that 61% of its total revenue comes
 11 from Samsung SDI. Samsung SDI, in turn, supplies 52% of its products to
 12 Samsung Electronics.”

13 Sea-Jin Chang, Financial Crisis And Transformation of Korean Business Groups
 14 at 118-20 (Cambridge University Press, 2003).

15 “Direct Purchaser Plaintiffs’ Combined Opposition To Defendants’ Motion To Dismiss,” pp. 62-
 16 63 (Aug. 3, 2009) (Dkt. No. 531).

17 Samsung’s own annual reports (available at
 18 <http://www.samsung.com/us/aboutsamsung/ir/financialinformation/annualreport/>) underscore this
 19 close integration. Its 2001 Annual Report, for example, discusses at pages 38, 39 and 40 the
 20 success of its global Enterprise Resource Planning (“ERP”) system, which began in 1995:

21 In 2001, we completed a global ERP [system spanning 25 production facilities
 22 and 31 sales subsidiaries in 47 countries. This global IT infrastructure provides a
 23 solid, extensible platform for business process solutions spanning the entire
 24 supply chain, revolutionizing the way we relate to and work with partners,
 25 suppliers, and customers.

26 ****

27 In August 2001, we took a major step forward in this area as we wrapped up a six-
 28 year, 700 billion won project to implement a global ERP system as the backbone
 of our e-business infrastructure. Connecting us with our 56 production and sales
 subsidiaries outside of Korea, our global SAP R/3 system gives us access to real-
 time information on production, sales, logistics, and inventory, enabling us to
 manage our resources on a truly worldwide basis, a capability that few other firms
 have.

We started by upgrading our global ERP system with an APS solution to support
 a weekly planning cycle for demand forecasting, resource management, and
 production planning functions for our entire global network of 32 production

1 facilities and 49 sales subsidiaries. This upgrade is enabling us to better
2 synchronize production and sales, a capability we expect to boost
3 on-time delivery performance by more than 10% in 2002. We also added a
4 number of advanced tools to facilitate integration with our partners, suppliers, and
5 customers. For our partners, we implemented a collaborative product commerce
6 solution that is providing a synergistic collaborative framework to lower costs,
7 foster innovative design, and dramatically shorten time
8 to market. For our suppliers, we began implementation of a supplier relationship
9 management solution that will enable us to create, execute, and sustain global
10 sourcing strategies as we build win-win relationships.

11 The same report notes at pages 66-67 the existence of Samsung's "Global Network."

12 Samsung's 2006 Annual Report at page 74 notes the following control exercised by the
13 parent company over its subsidiaries:

14 The consolidated financial statements include the accounts of SEC [Samsung
15 Electronics Corp.] and its controlled subsidiaries (collectively referred to as "the
16 Company"). Controlled subsidiaries include majority-owned entities and entities
17 in which SEC owns more than 30% of the total outstanding voting stock and is
18 the largest shareholder. Percentage of ownership is the sum of the percentage of
19 direct and indirect ownership.

20 The same report notes the following at page 82 with respect to companies in which SEC has less
21 than a 30% stake:

22 In the consolidated financial statements of the Company, investments in business
23 entities in which the Company has the ability to exercise a significant influence
24 over the operating and financial policies are accounted for using the equity
25 method of accounting.

26 Various Samsung SDI entities, including those named as Defendants here, fall in this latter
27 category.

28 Likewise, an SEC 2005 Analyst Day presentation (available at
http://www.samsung.com/us/aboutsamsung/ir/ireventpresentations/analystday/downloads/analyst_20051103_1500.pdf) refers to CRTs (*id.* at 24-25), describes its global manufacturing network (*id.* at 42), and refers to its "Global Supply Chain Planning in Partnership with Retail Channel" (*id.* at 43).

Thus, the Samsung entities were well-situated to carry out the overarching conspiracy with respect to CRT Products, as defined in the DP-CAC.

1 **2. Hitachi Entities.**

2 The same is true with respect to the Hitachi family of companies.

3 In Hitachi, Ltd.'s 2000 Form 20-F filed with the Securities & Exchange Commission
 4 (available at <http://www.hitachi.com/IR-e/library/20F/2000/index.html>), it explained at page 3 that
 5 in April of 1999, it implemented "fundamental management reforms" by creating a new company
 6 officer system, reorganizing business units, simplifying its head office, and creating an Advisory
 7 Board. In November of 1999, Hitachi, Ltd. rationalized its global business into five centrally-
 8 controlled segments: (1) Information Systems & Electronics; (2) Power & Industrial Systems; (3)
 9 Consumer Products; (4) Materials; and (5) Systems & Others.

10 Hitachi Ltd.'s 2001 Form 20-F (available at [http://www.hitachi.com/IR-](http://www.hitachi.com/IR-e/library/20F/2001/index.html)
 11 [e/library/20F/2001/index.html](http://www.hitachi.com/IR-e/library/20F/2001/index.html)) further explained this centrally-controlled business segmentation
 12 (*id.* at 11):

13 Hitachi conducts a broad and diverse range of businesses. Hitachi divides its
 14 operations into five segments that group products mainly on the basis of
 15 similarity of products and services in type, use, production method and marketing
 16 method. The five segments are Information Systems & Electronics, Power &
 17 Industrial Systems, Digital Media & Consumer Products, Materials and Services
 18 & Other. Each segment includes the Company's subsidiaries and affiliates
 19 engaged in related production, marketing and service activities.

20 The company's CDT business was part of its Information Systems & Electronics segment, which
 21 also included computers (*id.* at 8); "[t]his segment groups products with many common
 22 technological aspects, facilitating operations management. Computers and semiconductors form
 23 the nucleus of the segment" (*id.* at 12).⁶

24 ⁶ Hitachi Ltd.'s 2007 Business Plan (available at [http://www.hitachi.com/IR-](http://www.hitachi.com/IR-e/library/presentation/070418/070418.pdf)
 25 [e/library/presentation/070418/070418.pdf](http://www.hitachi.com/IR-e/library/presentation/070418/070418.pdf)), which focused on Thin-Film Transistor Liquid Crystal
 26 Display ("TFT-LCD") screens, refers to "[q]uickly captur[ing] benefits from vertical integration"
 27 and "[c]aptur[ing] synergies in the Hitachi Group (Materials, components, finished products)" and
 28 "collaborative cooperation" with Matsushita on plasma. There is no reason to believe that Hitachi
 Ltd. viewed its CRT Products business any differently.

1 **3. Toshiba Entities.**

2 The same is true with respect to the Toshiba entities, as reflected in Toshiba Corporation's
3 ("TC") annual reports (available at <http://www.toshiba.co.jp/about/ir/en/library/ar/ar2010.htm>).

4 Toshiba Corporation's 2002 Annual Report states at page 27 that:

5 Toshiba Group consists of Toshiba Corporation and 315 consolidated subsidiaries
6 (201 domestic companies and 114 foreign companies) as well as 52 companies
7 reflected under the equity method (consisting of 28 domestic and 24 foreign
8 companies). The net number of consolidated subsidiaries for the period under
9 review was 14 companies less than the previous year. The number of newly
10 consolidated subsidiaries, including our strategic joint venture with Matsushita
11 Electric Industrial in the LCD and liquid crystal business—Toshiba Matsushita
12 Display Technology—increased by 31 companies during the year. However, as
13 the result of restructuring efforts, we also consolidated, rationalized and sold-off
14 some 45 subsidiaries.

15 The degree of integration did not lessen appreciably after the creation of MTPD. Toshiba's
16 2003 report listed MTPD at page 40 as an "affiliated company." A contemporaneous Matsushita
17 press release (available at <http://www.panasonic.net/ir/relevant/en030129-6/en030129-6.html>)
18 indicated that the following personnel from Toshiba Corporation became officers or directors of
19 MTPD: Eisaburo Hamano (became Senior Executive Vice-President of MTPD), Kazumasa
20 Uchida (became Corporate Auditor of MTPD), Taketoshi Shimoma (became a Director of
21 MTPD), Hisashi Matsuda (became a Director of MTPD), and Tadashi Matsumoto (became a
22 Director of MTPD). TC's website still has a listing for Toshiba Display Devices, Inc. ("TDD"),
23 which manufactured CRTs for TC. See <http://www.toshiba.com/tdd/>. Bloomberg still lists TDD as
24 a subsidiary of Defendant Toshiba America Electronics Corporation.

25 <http://investing.businessweek.com/research/stocks/private/snapshot.asp?privcapId=952637>.

26 **4. Panasonic/Matsushita Entities.**

27 Panasonic (formerly Matsushita) also has highly integrated operations with respect to CRT
28 Products. In its 2000 Annual Report (available at <http://panasonic.net/ir/annual/index.html>),
Panasonic stated the following at pages 3, 4, 7-8 and 19:

As part of the Progress 2000 Plan launched in 1997 to provide a solid foundation
for future growth, Matsushita implemented a number of business reforms,
including the introduction of the internal divisional company system and the
selection and strengthening of strategic areas, such as our five key businesses, to

1 concentrate resources. As a result, Matsushita's five key businesses now play an
 2 essential role in the operations of the Company as a whole.

3 To adapt to changing market needs and maximize growth, Matsushita has
 4 reclassified its business segments and implemented a number of related strategies.
 5 Particularly in the areas of AV equipment and information and communications
 6 equipment, where broadcasting and communications are rapidly converging,
 7 Matsushita is committed to building a unified strategy to take full advantage of its
 8 combined Groupwide strengths. As a result, from April 2001 the Company
 9 established four new business segments: AVC Networks, Home Appliances,
 10 Industrial Equipment, and Components and Devices. These replace the traditional
 11 Consumer Products, Industrial Products and Components segments. The four new
 12 segments will facilitate strategic development of business activities.

13 To implement better strategic operational management in semiconductors and
 14 display devices—areas involving huge investments—the Company absorbed
 15 Matsushita Electronics Corporation (MEC), effective April 2001. By establishing
 16 new internal divisional companies within the parent Company, namely the
 17 Semiconductor, Display Device and Lighting companies, the development,
 18 manufacturing and sales functions that were previously performed by both
 19 Matsushita and MEC for each of these strategic businesses have been integrated.

20 Regarding the domestic consumer sales structure, Matsushita replaced what were
 21 the corporate consumer products sales divisions, sales functions within individual
 22 product divisions and the Advertising Division with two new divisions for our
 23 major brands, the Corporate Panasonic Marketing Division and Corporate
 24 National Marketing Division. Concerning distribution reforms, Matsushita plans
 25 to consolidate its 22 regional consumer sales companies
 26 into a single company. Further reforms will include the consolidation of several
 27 logistics companies into a single company, as well as a similar integration of
 28 credit sales and leasing subsidiaries. By implementing these reforms and
 reevaluating domestic consumer sales and distribution operations, Matsushita will
 create a highly efficient structure that ensures speedy response to customer needs,
 and will benefit from a significant reduction in distribution costs with an
 increased market share. Another important aspect of these reforms is the
 reallocation of a large number of employees to high-growth and new
 service-related businesses, thereby optimizing human resources.

21 Similarly, operations for CRTs, LCD devices and PDPs, formerly divided
 22 between Matsushita and MEC, were consolidated under a new display devices
 23 divisional company within Matsushita, thus facilitating overall management
 24 decision making and optimal resource allocation among the three product lines.

25 A September 26, 2002 press release available at Panasonic's website

26 (<http://panasonic.net/ir/relevant/en020926-13/en020926-13.html>) noted that this integration

27 continued after the creation of MTPD:

28 Matsushita and Toshiba plan to integrate their CRT business operations, including
 research and development, manufacturing, and sales. The integration will cover

both companies' manufacturing operations worldwide, except for those in Japan where the parent companies will continue to run their respective factories. They include Matsushita's factories in China, the United States, Germany, and Malaysia, and Toshiba's factories in the United States, Thailand, and Indonesia. The new company will also take over as its wholly owned subsidiary MT Display Procurement Co., Ltd., a joint procurement company established with equal ownership by the two parent companies on April 15, 2002.

5. Philips Entities.

The Philips 2001 Form 20-F filed with the Securities & Exchange Commission (available at <http://www.sec.gov/cgi-bin/browse-edgar?company=&CIK=0000313216&filenum=&State=&SIC=&owner=include&action=getcompany>) sets forth at pages 10 and 20 the high degree of vertical integration within its family of companies:

In addition to streamlining its portfolio of businesses and management, Philips engaged in a comprehensive review of its strategy and portfolio, involving the focus on high growth technology businesses. In consequence, as of January 1, 2000, Philips has grouped together the relevant operations of Sound & Vision, Philips Consumer Communications and Business Electronics into a single Consumer Electronics organization. Given that the technologies of TV, audio, telecommunications and computing are increasingly converging, these combinations are appropriate. It is expected that they will capitalize on the strength of the Philips brand and make new business generation easier, market intelligence more coordinated and time-to-market shorter.

Besides Consumer Electronics, there are other very important building blocks that make up the Company. The Semiconductors and Components divisions play a crucial role, both as internal suppliers and through their leading positions in the external market. The capital expenditures required in this field place considerable demands on management in terms of ensuring adequate returns by means of flexible and cost-effective operations.

Philips and LG Electronics of South Korea announced in November 2000 the signing of a letter of intent pursuant to which the companies expect to merge their respective cathode ray tube (CRT) businesses into a new 50-50 joint venture company. The transaction is expected to close in 2001 and is subject to customary regulatory approvals. Upon the closing of the transaction, LG will receive USD 1.1 billion from the new company to address the difference in the valuation of the contributed businesses.

Under the terms of the letter of intent, LG and Philips will share equal control of the joint venture.

1 A scholarly treatise also noted how Philips was buying much of its CPTs internally for use
2 in its branded televisions. Robert M. Grant, Contemporary Strategy Analysis at 393 (5th ed. 2005).

3 The situation did not change appreciably once LPD was created. In a 2005 press release
4 available from its website, LGPD was crowing about providing a SuperSlim CRT to LG
5 Electronics for its televisions. A 2002 LG Electronics presentation (available at
6 <http://www.lg.com/global/download/pdf/lehman-brothers-conference.pdf>) also referred to
7 “Vertical integration-Ability to leverage product development of Display and Media Tech
8 divisions.”

9 6. LG Entities

10 As reflected in LG Electronics’ 1999 Annual Report (available at
11 <http://www.lg.com/global/ir/reports/annual-reports.jsp>), the company was divided into three
12 separate product companies: Digital Display, Digital Appliance and Digital Media. The first of
13 these, which encompassed the manufacture of CRT Products, “conducts R&D and manufacturing
14 in digital display products and their core components. It has 7,500 employees at its four domestic
15 operations and 20 overseas subsidiaries. Besides its Display Device Research Lab., it has other
16 research centers and a marketing network at home and abroad.” These included the Zenith
17 Electronics Corporation in the United States, which manufactured CRT televisions. The same
18 annual report further explained: “[t]he Company has organized three reportable business divisions
19 : Display division, Home Appliances division and Multimedia division. Additionally,
20 the Company has a centralized supporting division to provide general and administrative,
21 marketing and sales and research and development services to each business division.”

22 7. Tatung and Chunghwa

23 As Judge Illston explained in the TFT-LCD Tatung Opinion,

24 Here, plaintiffs have submitted evidence showing that Tatung Taiwan owns and
25 controls both TUS [Tatung U.S.] and CPT [Chunghwa] and that the three firms
26 have intertwined economic interests; that TUS has described itself as a subsidiary
27 of Tatung Taiwan, represented that it owns its own TFT-LCD panel factory (which
28 is CPT's factory), and stated that it runs a vertically-integrated TFT-LCD business;
CPT and other defendants supply TFT-LCD panels to TUS; and TUS has never
sued Tatung Taiwan or CPT. TUS disputes this evidence, or at least disputes
plaintiffs' characterization of the evidence. For example, TUS asserts that it has

never purchased more than 50% of its LCD panels from CPT in any given year, and that TUS engages in arms-length negotiations with all of its suppliers of LCD panels, including CPT. TUS also argues that the testimony of TUS executives Edward Chen and Michael Lai demonstrates that neither CPT nor Tatung Taiwan exercises financial or operational control over TUS.

The Court finds that the complaint sufficiently alleges a basis for TUS's liability. The factual record is disputed as to the relationship between TUS, CPT, and Tatung Taiwan, as well whether TUS's purchases of LCDs and finished products containing LCDs was truly arms-length or in furtherance of the alleged conspiracy. On this record, TUS has not shown that it is not a proper defendant under *Royal Printing and Freeman [v. San Diego Ass'n of Realtors]*, 322 F.3d 1133, 1144 (9th Cir. 2003).] Upon a fuller factual record, TUS may renew its arguments in a motion for summary judgment.

2009 WL 533130 at *4 (footnote omitted).

In sum, the vertically integrated Defendants necessarily had to capture the overcharge in the prices of the finished products that they sold to putative class members.⁷

⁷ That is not to say that non-integrated entities, who supplied CDTs or CPTs to other co-conspirators, but did not make finished products, can avoid antitrust liability. As said in *Florida Power Corp. v. Granlund*, 78 F.R.D. 4412, 443-44 (M.D. Fla. 1978):

But the Section 4 claim does not exhibit a total lack of merit. The Court is of the opinion that the Supreme Court's opinion in *Illinois Brick Co. v. Illinois*, 431 U.S. 720, 97 S.Ct. 2061, 52 L.Ed.2d 707 (1977), does not foreclose the State from bringing a complaint against Florida Power. Florida Power characterizes the holding of *Illinois Brick* as follows:

... the direct purchaser of a price-fixed product is the only proper party to recover for the overcharges on that product. Plaintiff's Reply Memorandum at 2.

Closely examined, the proposition proves too much. It would immunize from antitrust liability any manufacturer who conspired with his suppliers to fix the price of the supplied raw material. *Illinois Brick* does not mention, let alone discuss, such a situation. The Supreme Court's obvious concern for the efficacious enforcement of the antitrust laws, which so informed its decision (*id.* 431 U.S. 720, 97 S.Ct. at 2074-75), further sufficiently indicates the lack of any intention so to immunize such a manufacturer. The mere fact that the allegedly price-fixed product is only a partial constituent of the ultimate product purchased by the intervening plaintiff as alleged here, where the oil is converted to electricity should not bar recovery, where there is an allegation of privity between suppliers of the raw material and the manufacturer. See Note, *Scaling the Illinois Brick Wall: The Future of Indirect Purchasers in Antitrust Litigation*, 63 Cornell L.Rev. 309, 331-32 (1978). The result would be a loophole in the antitrust laws that would provide immunity for any price-fixing manufacturer which, for whatever reasons, finds it useful to conspire to fix prices with its suppliers. The Court cannot believe that the Supreme Court intended such a result without discussing it.

(footnote continued)

B. Involvement Of Certain Defendants In Related Conspiracies.

Prior to the filing of the DP-CAC, the DPPs were aware that certain of the Defendants here had pled guilty to a conspiracy involving the global fixing of prices for TFT-LCDs. On November 12, 2008, the United States Department of Justice (“DOJ”) announced that LG Display, an alleged wrongdoer in this case, had pled guilty to an information alleging antitrust price-fixing allegations with respect to TFT-LCDs and had agreed to pay a \$400 million. *See* http://www.justice.gov/atr/public/press_releases/2008/239396.pdf. In January and February of 2009, it was announced that C.Y. Lin (Chunghwa PT’s former Chairman and CEO); Wen Jung Cheng (Assistant Vice-President of Marketing & Sales for Chunghwa PT); Duk Mo Koo (Executive Vice-President & Chief Sales Officer for LG.Philips LCD Co., Ltd.); Chang Suk Chung (Vice-President of Monitor Sales for LG Display, Ltd., the predecessor of LP Display); Chih-Chun Liu (Chunghwa PT’s Vice-President of LCD Sales); and Hsueh-Lung Lee (also one of Chunghwa PT’s Vice-Presidents of LCD Sales) pled guilty to participation in the TFT-LCD conspiracy; Wen Jung Cheng (Assistant Vice-President of Marketing & Sales for Chunghwa PT) and Duk Mo Koo (Executive Vice-President & Chief Sales Officer for LG.Philips LCD Co., Ltd.) have also been indicted in connection with the DOJ’s TFT-LCD investigation. *See* <http://www.justice.gov/opa/pr/2009/February/09-at-092.html>. On March 10, 2009, the DOJ announced that Hitachi Displays, Ltd., another Defendant in this case, had pled guilty to participation in the price-fixing conspiracy involving TFT-LCDs and had agreed to pay a \$31 million fine. *See* http://www.justice.gov/atr/public/press_releases/2009/243414.pdf. As reflected in the discussion above of materials such as the September 21, 2000 Top Meeting report, CRT finished product prices were sometimes conspiratorially pegged off of collusively set TFT-LCD Product prices. Indeed, the district court in the TFT-LCD civil class case had refused to dismiss antitrust claims based on purchases of products containing TFT-LCD panels in an opinion issued

1 on August 25, 2008. *In re TFT-LCD (Flat Panel) Antitrust Litig.*, 586 F.Supp.2d 1109, 1117-19
 2 (N.D. Cal. 2008) (“LCDs”).

3 The DPPs also had available to them a consent decree of the Japanese Fair Trade
 4 Commission (“JFTC”), reported at 1993 WLNR 1116859. That report reads as follows:

5
 6 The Fair Trade Commission Wednesday ordered four sales subsidiaries of the
 7 country's four major home electronics appliance makers to stop the price-fixing
 practice of illegally restricting the amount of discounts displayed on their
 products by large discount stores.

8 This is the first time that the FTC has charged home appliance makers with
 9 suspicion of violating the Antimonopoly Law.

10 The FTC's decision is expected to draw much attention not only in Japan but
 11 overseas, because of the exclusive business practices among Japanese home
 appliance makers and their unclear way of setting retail prices.

12 These practices came under criticism during in the Structural Impediments
 Initiative (SII) talks between Japan and the United States.

13 The four subsidiaries are: Matsushita Electronics, a 100 percent holding company
 14 of Matsushita Electric Industrial Co.; Hitachi Sales Corp., Sony Network Sales
 Co., and Toshiba East Japan Life Electronic Co.

15 According to the FTC's investigation, the four sales subsidiaries requested large
 16 discount stores in the Akihabara district in Tokyo and the Nipponbashi shopping
 district in Osaka not to display discount rates larger than 10 percent of the maker's
 recommended retail prices on price tags at stores and in their handbills.

17 They reportedly forced the stores to comply with their demand by threatening to
 18 stop shipment of products.

19 As a result, the offering prices of color TVs, refrigerators and word processors on
 20 their handbills and price tags became exactly the same, which the FTC has ruled
 violates a provision of the Antimonopoly Law banning the illegal restriction of
 21 retailers' sales methods.

22 The FTC noted that large discount stores were actually offering discount rates
 bigger than the ones they displayed on the price tags.

23 But emphasizing that the prices listed on the price tags and handbills served as
 24 important sources of information for consumers, the FTC said there is concern
 that the retail prices may be maintained at high levels by the restriction on the
 display of selling prices, which gives damage to the public.

25
 26 The home appliance industry has been hard-hit by the recession, and the profits of
 manufacturers and their licensed retail stores as well as large discount stores have
 27 been dropping.

1 The FTC suspects that the restriction of the displayed selling prices had also
 2 helped the retail stores keep selling prices at a high level, and contributed to the
 escalating price-cutting competition among discount shops, it added.

3 In 1988, the FTC instructed the two major industry associations, including the
 4 Japan Electronics Industry Association, to stop the practice. But when there was
 no visible improvement in the situation, the FTC started to search the sales
 5 subsidiaries of the four major home appliance makers to collect evidence
 beginning in March last year.

6 All the four sales subsidiaries have voluntarily lifted the restriction on the
 displayed selling prices after the FTC's investigation.

7 Domestic sales of home appliances is estimated at 5 yen to 6 trillion yen a year,
 8 and about 60 percent of home appliances manufactured in Japan are shipped to
 large discount stores.

9 The combined total of the four major makers' sales to large discount stores
 10 amounted to about 800 billion yen.

11 The last time that the home appliance industry was ordered to stop price-fixing by
 the FTC was in 1971, when Matsushita Electric Industrial Co. was found trying to
 12 force retailers to sell its products at its recommended prices.

13 While this misconduct involved vertical price-fixing of televisions in Japan prior to the class
 14 period in this case, it is relevant to the pleading of the alleged wrongdoing here, which is also
 15 based on a horizontal agreement, implemented in part through the efforts of the vertically
 16 integrated Defendants with respect to CRT Products, including televisions.

17 **C. Antitrust Investigations Or Prosecutions With Respect To CRT Products.**

18 On February 10, 2009, prior to the filing of the DP-CAC, the DOJ announced the
 19 indictment of the aforementioned C.Y. Lin of Chunghwa PT in connection with a conspiracy to fix
 20 the prices of CDTs and CPTs. (Chunghwa, it will be remembered, did not manufacture finished
 21 products containing CRTs). The agency's press release making that announcement (available at
 22 <http://www.justice.gov/opa/pr/2009/February/09-at-110.html>) stated that customers in the United
 23 States were harmed:

24
 25 *"This conspiracy harmed countless Americans who purchased computers and*
 26 *televisions using cathode ray tubes sold at fixed prices," said Scott D. Hammond,*
 27 *Acting Assistant Attorney General in charge of the Antitrust Division. "The*
 28 *Antitrust Division will continue to prosecute individuals, wherever they are*
located and however high their position on the corporate ladder, who engage in
price fixing aimed at U.S. businesses and consumers." (Emphasis added).

1 The DPPs reasonably interpreted that press release as indicating that the overarching conspiracy
 2 involving CRT Products encompassed televisions and computer monitors sold in the United
 3 States. The district court in this case also read it in a similar manner. *In re Cathode Ray Tube*
 4 *(CRT) Antitrust Litig.*, No. CV 07-5944 SC, 2010 WL 3632775 at *8 (N.D. Cal. March 30, 2010).

5 Prior to the filing of the DP-CAC, the DPPs also had information on investigations by
 6 competition authorities other than the DOJ. On November 8, 2007, it was reported that EC
 7 officials carried out unannounced raids on manufacturers of CRTs based on suspected
 8 anticompetitive conduct. That same day, the EC issued a press release stating that, "[t]he
 9 commission has reason to believe that the companies concerned may have violated EU rules
 10 against price-fixing, sharing markets or exchanging market information."

11 <http://europa.eu/rapid/pressReleasesAction.do?reference=MEMO/07/453>.

12 On November 9, 2007, Matsushita (now Panasonic) and Samsung reported that they were
 13 cooperating with the JFTC, which raided the companies' CRT production facilities on suspicion of
 14 anticompetitive conduct.

15 On that same day, a Samsung spokesperson announced that its CRT subsidiary in South
 16 Korea was being investigated by the Korean Fair Trade Commission ("KFTC") as "part of an
 17 international probe into alleged price-fixing."

18 And on November 21, 2007, Philips acknowledged that it was being investigated as well.
 19 <http://www.itworld.com/071121philips crt>. The *International Herald Tribune* reported that
 20 "competition authorities in several jurisdictions had started investigations," and that the company
 21 "would assist regulators."

22 On May 6, 2008, the Hungarian Competition Authority ("HCA") announced its own
 23 investigation into the CRT cartel. <http://www.jogiforum.hu/hirek/17724#axzz16n0dDfHD>. The
 24 HCA described the cartel as follows and included among its targets entities that manufactured (or
 25 controlled the manufacture of) finished CRT Products:

26
 27 The Hungarian Competition Authority (Gazdasági Versenyhivatal - GVH)
 28 initiated a competition supervision proceeding against the following undertakings:
 Samsung SDI Co. Ltd, Samsung SDI Germany GmbH, Samsung SDI

Magyarország Zrt., Thomson TDP sp. Z.o.o., LG Philips Displays Czech Republic s.r.o., LP Displays, Chunghwa Pictures Tubes (UK) Ltd, Chunghwa Pictures Tubes Ltd, Daewoo Orion S.A., Daewoo Electronics Global HQ, Daewoo Electronics European HQ, MT Picture Display Germany GmbH, Matsushita Global HQ, Matsushita European HQ.

Based on the data available the undertakings mentioned above concerted their practice regarding the manufacturing and distribution of cathode-ray tubes (including coloured pictures tubes and coloured screen tubes) on the European market between 1995 and 2007. The anti-competitive behavior may have concerned the exchange of sensitive market information (about prices, volumes sold, demand and the extent to which capacities were exploited), price-fixing, the allocation of market shares, consumers and volumes to be sold, the limitation of output and coordination concerning the production. The undertakings evolved a structural system and functional mechanism of cooperation.

According to the available evidences it is presumable that the coordination of European and Asian undertakings regarding to the European market also included Hungary from 1995 to 2007. The coordination concerning the Hungarian market allegedly formed part of the European coordination. Samsung SDI Magyarország. was called into the proceeding since it manufactured and sold cathode-ray tubes in Hungary in the examined period, and it allegedly participated in the coordination between its parent companies.

D. A Conspiracy As To CRTs Is Equivalent To A Conspiracy As To Finished CRT Products.

In addition, Class Plaintiffs were well aware prior to the filing of the DP-CAC how the costs of a CRT would affect the price of a finished CRT Product, like a television. They knew this from aspects of the Chunghwa proffer discussed above. They also knew it independently through published sources, such as DisplaySearch's "Quarterly Global TV Shipment & Forecast Report" dated March 17, 2007, which (at page 20) calculated prices for CRT televisions by using the prices for CRTs: "[t]o calculate the CRT TV price, we used the previous quarter's tube prices to determine the current quarter's CRT TV street prices due to the lag between tube shipment and TV shipment. Thus, tube price reductions are reflected in street prices one quarter later." (As noted above, these reports are available at http://www.displaysearch.com/cps/rde/xchg/displaysearch/hs.xsl/quarterly_global_tv_shipment_and_forecast_report.asp).

As pointed out above, Class Plaintiffs also knew from *LCDs* that where a defendant sells a finished product containing a price-fixed component, it can be held liable with respect to the sale

1 of that finished product to the first entity outside the conspiracy. As Judge Illston explained in
 2 *LCDs*:

3 Here, the complaint alleges that the direct purchaser plaintiffs
 4 purchased TFT-LCD products directly from cartel members at
 5 supra-competitive prices as the result of a conspiracy to fix prices.
 6 ... Defendants do not cite any case holding that a plaintiff who
 7 purchases directly from an alleged cartel does not have standing. In
 8 contrast, courts have found antitrust standing where plaintiffs
 9 purchased downstream goods from a cartel of manufacturers who
 10 made, and fixed the price of, a component of those goods. See,
 11 e.g., *In re Linerboard Antitrust Litig.*, 305 F.3d 145, 159-60 (3d
 12 Cir.2002) (“*Linerboard I*”) (in alleged conspiracy to fix prices of
 13 linerboard, plaintiffs who purchased corrugated sheets or boxes
 14 containing linerboard directly from defendants had standing). To
 the extent that defendants raise questions about the scope of the
 market, or contend that damages will be difficult to ascertain, the
 Court finds that these are factual questions that are better addressed
 on a fuller record, and not at the pleadings stage. *See In re Sugar
 Industry Antitrust Litig.*, 579 F.2d 13, 17 (3d Cir.1978) [*“Sugar”*]
 (“As the defendants here point out, the product which plaintiff
 purchased competes not with sugar, but with other candy, and more
 than one ingredient determines the price. To this extent, there will
 be some additional complications underlying the damage claims.
 However, this must not be allowed to obscure the fact that the
 plaintiff did purchase directly from the alleged violator.”).

15 586 F.Supp.2d at 1118-19. *See Sugar*, 579 F.2d at 18 (“[p]laintiff is a direct purchaser and,
 16 therefore, entitled to recover the full extent of the overcharge”); *In re Linerboard Antitrust Litig.*,
 17 203 F.R.D. 97, 216 (E.D. Pa. 2001), *aff’d*, 305 F.3d 145, 161-62 (3d Cir. 2002), *cert. denied sub*
 18 *nom. Gaylord Container Corp. v. Garrett Paper Co.*, 538 U.S. 977 (2003) (“[l]ike the candy in *In*
 19 *re Sugar Industries* which contained allegedly price fixed sugar, the corrugated sheets and boxes
 20 contain linerboard that was subject to an agreement on output, which is equivalent to a price-fixing
 21 agreement. ... The plaintiffs are direct purchasers and, therefore, are entitled to recover the full
 22 amount of any overcharge”); *In re Flat Glass Antitrust Litig.*, 191 F.R.D. 472, 480
 23 (W.D.Pa.1999) (“[a]s an initial matter, we note that defendants' reliance on *Illinois Brick* is
 24 misplaced, as plaintiffs' claims are limited to those persons who purchased fabricated products
 25 *directly* from defendants or their parents, subsidiaries or affiliates. Moreover, the Court of Appeals
 26 [in *Sugar*] has held that, although *Illinois Brick* bars Clayton Act suits by persons who are not
 27 direct purchasers from an antitrust defendant, the decision does not preclude a suit by a plaintiff
 28

1 who purchases directly from the alleged offender, as did plaintiffs, but buys a product which
2 incorporates the price-fixed product as one of its ingredients”) (emphasis in original).

3 **INTERROGATORY NO. 2:**

4 State with specificity the factual basis (including any evidentiary sources) for Your
5 allegation that Defendants agreed to allocate market shares and customers of sales of computer
6 monitors containing CRTs, as alleged in, inter alia, Paragraphs 5 and 138 of the Complaint.

7 **RESPONSE TO INTERROGATORY NO. 2:**

8 Subject to the General Objections, plaintiffs respond as follows:

9 See answer to Interrogatory Number 1 above.

10 **INTERROGATORY NO. 3:**

11 For each separate defendant (regardless of its affiliation with any other defendant), state
12 with specificity the factual basis (including any Documents, Persons, or other evidentiary sources)
13 for Your allegations that it conspired, combined, and contracted with any of the other Defendants
14 to fix, raise, maintain and/or stabilize the prices of computer monitors containing CRTs sold in the
15 United States, as alleged in, inter alia, Paragraph 3 of the Complaint.

16 **RESPONSE TO INTERROGATORY NO. 3:**

17 Subject to the General Objections, plaintiffs respond as follows:

18 See answer to Interrogatory Number 1 above.

19 **INTERROGATORY NO. 4:**

20 For each separate defendant (regardless of its affiliation with any other defendant), state
21 with specificity the factual basis (including any Documents, persons, or other evidentiary sources)
22 for Your allegations that it agreed to allocate market shares and customers of sales of computer
23 monitors containing CRTs, as alleged in, inter alia, Paragraphs 5 and 138 of the Complaint.

24 **RESPONSE TO INTERROGATORY NO. 4:**

25 Subject to the General Objections, plaintiffs respond as follows:

26 See answer to Interrogatory Number 1 above.

27 **INTERROGATORY NO. 5:**

28

1 Identify each Person who provided information to answer these Interrogatories.

2 **RESPONSE TO INTERROGATORY NO. 5:**

3 Subject to the General Objections, plaintiffs respond as follows:

4 Counsel for plaintiffs.

5
6 DATED: January 31, 2011

By: /s/ Guido Saveri
SAVERI & SAVERI, INC.
706 Sansome Street
San Francisco, CA 94111
Telephone: (415) 217-6810
Facsimile: (415) 217-6813

*Interim Lead Counsel for the Direct
Purchaser Plaintiffs*